

# **Draft National Gas (South Australia) (Market Transparency) Variation Rules 2020**

## **Contents**

Draft rules to give effect to the market transparency measures require amendments to the following parts of the National Gas Rules (NGR):

- Part 15B – Procedures
- Part 15D – Gas Statement of Opportunities
- Part 17 – Miscellaneous provisions relating to the AER
- Part 18 – National Gas Services Bulletin Board
- Part 18A – Compression and storage terms and prices
- Schedule 1 – Transitional Provisions – Part 15 – Transitional provisions consequent on the National Gas Amendment (Market Transparency) Rule 2020

Amendments to Parts 15B, 15D, 17 and 18 of the NGR are marked-up against the current NGR.

Part 18A and the Schedule 1 Transitional Provisions are not marked-up as they are new.

# **Amendments to the National Gas Rules Part 15B – Procedures**

## **Part 15B                      Procedures**

### **135E            General purpose of this Part**

This Part describes the process for making Procedures.

### **135EA        Matters about which Procedures may be made**

- (1) Retail Market Procedures may deal with the following matters:
  - (a) principles for interpreting the Retail Market Procedures;
  - (b) the administration and operation of a regulated retail gas market;
  - (c) criteria for registration of participants in a regulated retail gas market;
  - (d) establishing, maintaining and administering a register of gas delivery points;
  - (e) the collection, estimation and use of metering data related to a regulated retail gas market;
  - (f) the transfer of customers and delivery points in a regulated retail gas market;
  - (g) implementation of a ROLR scheme;
  - (h) balancing, allocation and reconciliation of quantities of gas injected and withdrawn in a regulated retail gas market;
  - (i) unaccounted for gas;
  - (j) collection and payments related to settlement in a regulated retail gas market;
  - (k) collection, communication, use and disclosure of information related to a regulated retail gas market;
  - (l) the payment of fees by, or the recovery of fees from, Registered participants, or a particular class of Registered participants;
  - (m) forecasting gas usage and the use of indicators as a basis for estimating a customer's probable annual gas consumption;
  - (n) audits and reviews;
  - (o) meters and associated equipment;
  - (p) lost *retail customers*;
  - (q) any aspect of the regulated retail gas market of South Australia including:
    - (i) the provision of the swing service and the storage, allocation, reconciliation, adjustments, injection and withdrawal of gas relevant to the swing service; and

- (ii) the operation of gate points and gate point control systems; and
  - (iii) any associated warranties and representations; and
  - (iv) the provision of flow signals; and
  - (v) the circumstances giving rise to an entitlement to compensation; and
  - (vi) associated off-market procurements and transactions;
  - (vii) bids and bid stacks; and
  - (viii) arrangements that will apply in the event of an emergency; and
  - (ix) failure of data systems; and
  - (x) registers, systems, services and agreements related to any of the above; and
  - (xi) identification and alteration of sub-networks, gas zones and gate points; and
  - (xii) liabilities, indemnities, insurance and immunities; and
  - (xiii) user exit;
  - (r) any subject dealt with under legislation or former legislation (principal or subordinate) of a participating jurisdiction relating to the administration or operation of a retail gas market before the changeover date;
  - (s) any subject dealt with under rules (or former rules) that:
    - (i) relate to the administration or operation of a retail gas market before the changeover date; and
    - (ii) were contractually binding on market participants before the changeover date;
  - (t) any matter consequential or related to any of the above.
- (2) Wholesale Market Procedures may deal with the following matters:
- (a) system security;
  - (b) gas scheduling;
  - (c) demand forecasts;
  - (d) accreditation;
  - (e) administered pricing;
  - (f) compensation;

- (g) ancillary payments;
- (h) uplift payments;
- (i) connection approval;
- (j) metering (including metering communication and the metering register);
- (k) unaccounted for gas;
- (l) energy calculation;
- (m) the data validation procedure;
- (n) electronic communication;
- (o) maintenance planning;
- (p) allocation of entitlements to utilise pipeline capacity;
- (q) transfer of entitlements to utilise pipeline capacity;
- (r) any subject dealt with under legislation or former legislation (principal or subordinate) of a participating jurisdiction relating to the administration or operation of a wholesale gas market before the changeover date;

**Note:**

This is intended to facilitate the making of Procedures reflecting (inter alia) the MSO Rules procedures and guidelines as defined in section 58(2) of the *National Gas (Victoria) Act 2008* (Vic).

- (s) any other subject relevant to a declared wholesale gas market on which the *NGL* or these rules contemplate the making of Procedures.
- (3) The BB Procedures may deal with the following matters:
- (a) the manner in which AEMO maintains, and publishes information on, the Natural Gas Services Bulletin Board including the format of any registers or reports required or permitted by these rules;
  - (b) the manner and form of applications to AEMO related to the Natural Gas Services Bulletin Board;
  - (c) the time, manner and form for providing AEMO with information in connection with the Natural Gas Services Bulletin Board and the collection and collation of that information;
  - (d) the terms and conditions of use of the Natural Gas Services Bulletin Board;
  - (e) restrictions on the use of the free text facility;
  - (f) the determination of any matter AEMO is required or allowed to determine under these rules including forecasts of peak demand;

- (g) ~~[deleted]the definition of:~~
    - ~~(i) demand zones;~~
    - ~~(ii) production zones;~~
  - (h) the meaning of symbols used for the purposes of the Natural Gas Services Bulletin Board;
  - (i) the definition of terms, the criteria for classification, or the designation of status for the purposes of the rules governing the operation of the Natural Gas Services Bulletin Board;
  - (ia) the identification of geological basins;
  - (ib) the criteria for classification of a facility development project as a proposed or committed development;
  - (j) the estimation, calculation and recovery of BB operating costs;
  - (k) any other subject relevant to the Natural Gas Services Bulletin Board on which the *NGL* or these rules contemplate the making of Procedures.
- (4) The STTM Procedures may deal with the following matters:
- (a) specifying the points that comprise the hubs to which Part 20 of these rules applies;
  - (b) information required and processes to be followed for the registration of persons, information, services and trading rights by AEMO for the purposes of the STTM;
  - (c) administration of the market operator service;
  - (d) submission of offers and bids in the ex ante market and for contingency gas;
  - (e) scheduling of offers and bids in the ex ante market and for contingency gas;
  - (f) allocation of quantities of natural gas supplied to or withdrawn from a hub;
  - (g) submission of variations to schedules on or after a gas day;
  - (h) the application of administered pricing or scheduling arrangements;
  - (i) the process to be followed in relation to a requirement, or potential requirement, for contingency gas;
  - (j) determination of quantities, prices and amounts payable by or to Registered participants for the purposes of market settlement;
  - (k) determination and payment of claims relating to administered pricing;
  - (l) prudential requirements applicable to Registered participants;

- (m) consultation in relation to proposals that may lead to a request to the AEMC for a rule relating to the STTM;
  - (n) any matter consequential or related to any of the above.
- (5) The Capacity Transfer and Auction Procedures may deal with the following matters:
- (a) information required and processes to be followed for the registration of transportation service providers and transportation facilities by AEMO under Part 24;
  - (b) establishing, maintaining and administering a register of transportation service providers and transportation facilities;
  - (c) establishing, maintaining and administering the transportation service point register;
  - (d) the provision by transportation service providers of service point specifications for the transportation service point register and changes to those specifications;
  - (e) the determination of zones and pipeline segments;
  - (f) obligations of transportation service providers in connection with transaction support arrangements and the capacity auction established under Part 25, including arrangements for:
    - (i) access to and use of the systems established by AEMO;
    - (ii) the calculation of auction quantity limits;
    - (iii) the provision of information to AEMO including contract reference information, auction quantity limits and information about transportation facilities, service points, nominations and curtailment;
    - (iv) the validation of transactions entered into on the gas trading exchange or through the capacity auction including timing, the criteria for validation and rejection of transactions that fail validation; and
    - (v) information required and processes to be followed to give effect to transactions entered into on the gas trading exchange or through the capacity auction;
  - (g) arrangements for transactions entered into on the gas trading exchange or through the capacity auction to be taken into account for the purposes of Part 19 or Part 20;
  - (h) the calculation of payments to transportation service providers for use of an operational transportation service after termination of the contract from which the transportation capacity is first derived;

- (i) establishing the capacity auction in accordance with Part 25, including:
  - (i) the standard form of auction agreement;
  - (ii) eligibility to enter into an auction agreement and to participate in the capacity auction;
  - (iii) prudential requirements applicable to auction participants;
  - (iv) access to and use of the systems established by AEMO;
  - (v) the specification of auction products and the auction quantity or the manner in which those matters are determined;
  - (vi) the conduct of the capacity auction including timing, the form of bids, the determination of capacity auction results and when the capacity auction may be delayed, suspended or cancelled; and
  - (vii) a description of the information to be published by AEMO in relation to the capacity auction and any restrictions that may be placed on access to that information;
- (j) the calculation of amounts payable to or by transportation service providers and auction participants in connection with the capacity auction;
- (k) contingency arrangements for events affecting the transaction support arrangements or the capacity auction including:
  - (i) the failure of systems or processes; and
  - (ii) default in the performance of obligations under the Procedures or other instruments;
- (l) any other subject relevant to the matters in Part 24 or Part 25 on which the *NGL* or these rules contemplate the making of Procedures; and
- (m) any matter consequential or related to any of the above.

(6) The GSOO Procedures may deal with the following matters:

- (a) specification of the persons, or classes of persons, who are GSOO reporting entities;
- (b) arrangements for AEMO to determine and maintain contact details for the distribution of GSOO surveys;
- (c) the form of GSOO surveys;
- (d) arrangements for the conduct of GSOO surveys including the time for submission of GSOO survey responses;



- (e) requirements for GSOO survey responses including the form in which information must be provided and requirements for explanatory or supporting information;
- (f) exemptions from the obligation to complete a GSOO survey; and
- (g) any other subject relevant to GSOO surveys on which the *NGL* or these rules contemplate the making of Procedures.

**Note:**

The terms 'GSOO survey', 'GSOO reporting entity' and 'GSOO survey response' are defined in Part 15D.

### **135EB Preconditions for making Procedures**

- (1) AEMO may only make Procedures if AEMO is satisfied that the Procedures:
  - (a) are consistent with the *NGL* and these rules; and
  - (b) are appropriate having regard to:
    - (i) the national gas objective; and
    - (ii) any compliance costs likely to be incurred by AEMO, Registered participants or BB participants in consequence of the Procedures;
    - (iii) any principles stated in these rules that are applicable to the relevant Procedures.
- (2) In making Retail Market Procedures, AEMO must have regard to any applicable access arrangement.
- (3) However, AEMO may make Retail Market Procedures that are inconsistent with an applicable access arrangement.
- (3A) In making Capacity Transfer and Auction Procedures, AEMO must also be satisfied that the Procedures are appropriate having regard to:
  - (a) any compliance costs likely to be incurred by transportation service providers, transportation facility users, auction participants and gas trading exchange members; and
  - (b) the Operational Transportation Service Code.
- (4) This rule does not apply in relation to Procedures that AEMO makes, or proposes to make, under section 144 of the *NERL*.

### **135EC Impact and implementation report**

- (1) AEMO must establish a process (the **approved process**) for:

- (a) examining and assessing a proposal for the making of Procedures; and
- (b) preparing a report (an **impact and implementation report**) containing:
  - (i) a critical examination of a proposal for the making of Procedures; and
  - (ii) an assessment of the likely effect of the proposed Procedures; and
  - (iii) a recommendation on whether the Procedures should be made.
- (2) AEMO must consult on the proposed approved process in accordance with the *extended consultative procedure*.
- (3) AEMO must publish the approved process on its website.

### **135ED Proposal for making Procedures**

- (1) AEMO or any other person may propose the making of Procedures.
- (2) The proposal must include:
  - (a) a draft of the proposed Procedures; and
  - (b) a description of, and an explanation of the reasons for, the proposed Procedures.
- (3) Within 40 business days of formulating, or receiving from some other proponent, a proposal for the making of Procedures, AEMO must prepare an impact and implementation report in accordance with the approved process.
- (4) AEMO may, without preparing an impact and implementation report, reject a proposal if AEMO reasonably considers that the proposed Procedures:
  - (a) lie beyond AEMO's power to make Procedures; or
  - (b) are similar to Procedures proposed, but rejected, in the previous 12 months; or
  - (c) are misconceived or lacking in substance.
- (5) If AEMO decides to reject a proposal under subrule (4), AEMO must:
  - (a) give the proponent written notice of the *decision* and the reasons for it; and
  - (b) publish the *decision* and the reasons for it on AEMO's website.
- (6) If a proponent withdraws its proposal for the making of Procedures, the process for making the Procedures lapses unless AEMO decides to adopt the proposal.
- (7) If AEMO is the proponent, subrules (4) to (6) do not apply.

## 135EE Ordinary process for making Procedures

- (1) This rule describes the ordinary process for making Procedures.

**Note:**

This rule represents the minimum requirements to which AEMO is subject. AEMO is not prevented from seeking useful commentary on the proposal by other means and from other sources.

- (2) AEMO must publish on its website a notice:
- (a) setting out the proposed Procedures together with the impact and implementation report; and
  - (b) inviting Registered participants and other interested persons to submit written comments on the proposed Procedures to AEMO on or before a date (which must be at least 20 business days after the date of the notice) specified in the notice.
- (3) The notice under subrule (2) must be published no more than 10 business days after completion of the impact and implementation report.
- (4) AEMO must publish a *decision* on its website within 20 business days after the closing date for submissions that:
- (a) summarises any comments received on the proposed Procedures; and
  - (b) sets out the proposed Procedures and, if they have been revised in the light of the comments received, describes how and why they have been revised; and
  - (c) if the *decision* is to make the proposed Procedures – specifies the day on which the Procedures are to take effect; and
  - (d) if the *decision* is against making the proposed Procedures – states that the proposal has been rejected and gives reasons for its rejection.
- (5) At least 15 business days before the day on which new Procedures are to take effect or an earlier date fixed by these rules in a particular case, AEMO must:
- (a) give notice of the new Procedures (in a manner and form determined by AEMO) to each Registered participant and BB participant; and
  - (b) publish the new Procedures on its website; and
  - (c) make copies of the new Procedures available to the public at its public offices.
- (6) In determining whether or not to make Procedures under this rule, AEMO:
- (a) must take into account all relevant and material comments that it receives by the closing date for comments; and

- (b) may, but is not required to, take into account any comments that it receives after that date.

### **135EF Expedited process for making Procedures**

- (1) This rule describes the expedited process for making Procedures.
- (2) The expedited process is applicable if AEMO considers that:
  - (a) the Procedures are urgently necessary:
    - (i) to ensure the proper operation of a regulated gas market; or
    - (ii) to ensure an adequate supply of natural gas; or
    - (iii) to ensure an appropriate response to an emergency; or
  - (b) the Procedures are non-material (i.e. unlikely to have a significant financial or operational impact on Registered participants or BB participants).
- (3) If the expedited process is applicable to a proposal, AEMO must, within 10 business days after completing an impact and implementation report, publish on its website a notice:
  - (a) setting out the proposed Procedures together with the impact and implementation report; and
  - (b) stating that AEMO considers the expedited procedure applicable to the making of the Procedures; and
  - (c) inviting Registered participants and other interested persons to submit written comments on the proposed Procedures to AEMO on or before a date (which must be at least 15 business days after the date of the notice) specified in the notice; and
  - (d) fixing a date (the **proposed effective date**) for the proposed Procedures to take effect.
- (4) After the closing date for submissions, AEMO must, by notice published on its website:
  - (a) confirm the proposal and confirm the proposed effective date or defer the proposed effective date to a later date specified in the notice; or
  - (b) amend the proposal and confirm the proposed effective date or defer the proposed effective date to a later date specified in the notice; or
  - (c) defer a *decision* on the proposal and provide for further consultation before a final *decision* on the proposal is made; or
  - (d) withdraw or reject the proposal.

- (5) At least 15 business days before the day on which Procedures are to take effect, AEMO must:
  - (a) give notice of the Procedures (in a manner and form determined by AEMO) to each Registered participant and BB participant; and
  - (b) publish the Procedures on its website;
  - (c) make copies of the Procedures available to the public at its public offices.

### **135EG Time limits**

- (1) AEMO may, by notice published on its website, extend a time limit fixed by or under this Part if:
  - (a) the relevant proposal raises questions of such complexity or difficulty that an extension of the time limit is justified; or
  - (b) a material change of circumstances occurs justifying the extension of the time limit.
- (2) A notice published under subrule (1) must state the reasons for the extension.

# **Amendments to the National Gas Rules Part 15D – Gas Statement of Opportunities**

## Part 15D Gas statement of opportunities

### Division 1 Interpretation and application

#### 135K Definitions

In this Part:

**demand-supply balance information** for an LNG export project includes:

- (a) the quantity of natural gas that participants in the LNG export project expect to:
  - (i) produce for the project from their own reserves or take for the project from storage; or
  - (ii) procure for the project from third parties; and
- (b) the quantity of natural gas that participants in the LNG export project are required to supply under:
  - (i) contracts for the export of LNG; or
  - (ii) other gas supply contracts.

**exempt NT facility** has the meaning given in Part 18.

**exempt NT facility operator** has the meaning given in Part 18.

**exempt NT field** has the meaning given in Part 18.

**exempt NT field owner** has the meaning given in Part 18.

**GSOO reporting entity** means a person who is:

- (a) specified in the GSOO Procedures as a GSOO reporting entity; or
- (b) a member of a class of persons specified in the GSOO Procedures as a class of GSOO reporting entities.

**GSOO survey** means a survey process to obtain information relating to the natural gas industry conducted by AEMO in accordance with the GSOO Procedures.

**GSOO survey response** means a GSOO reporting entity's response to a GSOO survey including any request for clarification or correction under the GSOO Procedures.

**LNG export project** means the operation of an LNG export facility (as defined in Part 18) and the production or purchase of processable gas or natural gas for supply to the facility for conversion to LNG.

**participating jurisdiction** does not include Western Australia ~~or the Northern Territory~~ unless this Part applies in ~~that the relevant~~ jurisdiction.

**peak day capacity**

- (a) when used in reference to a pipeline – means the maximum daily quantity of natural gas that can be transported through the pipeline under normal operating conditions;
- (b) when used in reference to a ~~gas processing plant~~production facility – means the maximum daily production capacity of the gas processing plant ~~production facility~~ under normal operating conditions; and
- (c) when used in reference to a storage facility – means the maximum quantity of natural gas that the storage facility can hold in storage and the maximum daily quantity of natural gas that the storage facility can withdraw, inject or produce.

**135KA Application and exemptions**

- (1) This Part does not apply in Western Australia until a day fixed by or under legislation of that State.
- (2) Subject to subrule (4), an exempt NT facility operator is exempt from participation in a GSOO survey in relation to its exempt NT facility.
- (3) Subject to subrule (4), an exempt NT field owner is exempt from participation in a GSOO survey in relation to its exempt NT field.
- (4) An exemption under subrule (2) or (3) expires at the same time Part 18 begins to apply to the exempt NT facility or exempt NT field (as applicable) in accordance with rule 143A(3).
- ~~(2) This Part does not apply in the Northern Territory until a day fixed by or under legislation of that Territory.~~

**Division 2      Content and publication of the gas statement of opportunities**

**135KB Contents of the gas statement of opportunities**

- (1) The gas statement of opportunities must contain, for each participating jurisdiction, for the period of 10 years commencing on 1 January in the year of its publication, information about:
  - (a) natural gas reserves (including prospective or contingent resources); and
  - (aa) gas production forecasts and LNG import forecasts; and



- (ab) the volume of gas production and LNG imports that has been contracted for each year of the forecast horizon; and
  - (ac) production cost estimates; and
  - (b) annual and peak day capacity of, and constraints affecting, gas processing plants or LNG import facilities ~~gas production facilities~~; and
  - (c) committed and proposed new or expanded gas processing plants ~~gas production facilities~~ or LNG import facilities; and
  - (ca) demand-supply balance information for LNG export projects; and
  - (d) projected demand for natural gas (including annual and peak day forecasts) for each jurisdiction ~~demand zone~~; and
  - (e) annual and peak day transmission capacity and constraints (including interconnection constraints); and
  - (f) peak day capacity of, and constraints on, storage facilities; and
  - (g) committed and proposed new transmission pipelines and pipeline augmentations; and
  - (h) committed and proposed new or expanded storage facilities; and
  - (i) factors that may affect the volume of gas supplied by gas processing plants, LNG import facilities, transmission pipelines or storage facilities (for example, planned and unplanned outages and, in the case of transmission pipelines, unaccounted for gas).
- (1A) The gas statement of opportunities must also include information about the number and type of wells drilled for each participating jurisdiction in periods prior to its publication as provided for in the GSOO Procedures.
- (2) The gas statement of opportunities must also, if practicable, include forecasts of natural gas reserves (including prospective or contingent resources) ~~reserves~~ and annual demand for a further period of 10 years from the end of the period of 10 years referred to in subrule (1).
- (3) Forecasts made for the purposes of the gas statement of opportunities must be made as far as possible on a consistent basis.

### **135KC Revision of gas statement of opportunities**

The gas statement of opportunities must be revised and re-published by 31 March each year.

### **135KD Publication of supplement to gas statement of opportunities**

If significant and verifiable new information relevant to the gas statement of opportunities is brought to AEMO's attention, AEMO must publish on its website as soon as practicable a supplement to the gas statement of opportunities:

- (a) summarising the new information; and
- (b) indicating how the gas statement of opportunities is affected by the new information.

## **Division 3 GSOO surveys**

### **135KE Obligation to participate in a GSOO survey**

- (1) AEMO may in accordance with the GSOO Procedures require a GSOO reporting entity to participate in a GSOO survey.
- (2) If required under subrule (1), a GSOO reporting entity must participate in a GSOO survey in accordance with the GSOO Procedures.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

- (3) A GSOO reporting entity required to participate in a GSOO survey must provide to AEMO information in relation to the natural gas industry that the GSOO reporting entity has in its possession or control and requested in the GSOO survey.

**Note:**

See section 91DB(1) of the *NGL* requires a person who has possession or control of information in relation to the natural gas industry to give the information to AEMO for use by AEMO in the preparation of the gas statement of opportunities if the person is required to do so under the Rules. Section 91DB is classified as a civil penalty provision.

- (4) This Part does not require a GSOO reporting entity to disclose information to AEMO if the information is not required to be disclosed due to the operation of subsection 91DB(4)(a) or (b) of the *NGL*.

### **135KF GSOO reporting entities and the survey process**

- (1) The GSOO Procedures must specify the persons, or classes of persons, who are GSOO reporting entities.
- (2) The GSOO Procedures must specify the GSOO survey process including:
  - (a) pre-survey procedures to identify potential GSOO reporting entities and obtain organisation contact details;
  - (b) the form of GSOO surveys and GSOO survey responses, which may vary by GSOO reporting entity or by class of GSOO reporting entity;

- (c) the obligations of a GSOO reporting entity when participating in a GSOO survey including the time by which a GSOO reporting entity must provide its GSOO survey response;
- (d) procedures and requirements for AEMO to request clarification of a GSOO survey response;
- (e) procedures and requirements for updating a GSOO survey response and the correction of errors in a GSOO survey response; and
- (f) the process for AEMO to handle claims of confidentiality in relation to survey responses.

### **135KG Other matters relating to GSOO surveys**

- (1) Where this Part or the GSOO Procedures requires a GSOO reporting entity to provide information to AEMO, the information must be provided by the GSOO reporting entity by the time specified in the GSOO Procedures.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

- (2) Where this Part or the GSOO Procedures requires a GSOO reporting entity to provide information to AEMO, the information must be provided by the GSOO reporting entity in the manner and form specified in, and otherwise in accordance with, the GSOO Procedures.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

- (3) A GSOO reporting entity must ensure that any information it provides to AEMO in connection with a GSOO survey is prepared and submitted in accordance with the practices, methods and acts that would reasonably be expected from an experienced and competent person:

- (a) engaged in the activity in which the GSOO reporting entity engages in Australia;
- (b) having the qualifications and experience reasonably to be expected of a person preparing the information in Australia; and
- (c) acting with all due skill, diligence, prudence and foresight and in compliance with all applicable legislation (including these rules), authorisations and industry codes of practice.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

- (4) A GSOO reporting entity must ensure that any forecast or estimate it provides to AEMO in connection with a GSOO survey:

- (a) is arrived at on a reasonable basis; and
- (b) represents the best forecast or estimate possible in the circumstances.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

- (5) AEMO is not required to verify the accuracy of information given to it in connection with a GSOO survey.

### **135KH Use and disclosure of GSOO survey information**

- (1) AEMO may use information provided to it in connection with a GSOO survey to prepare the gas statement of opportunities.
- (2) AEMO may disclose protected information provided to it in connection with a GSOO survey in the gas statement of opportunities but only if the protected information is combined or arranged with other information in a manner that will not lead to the identification of the person to whom the protected information relates.

**Note:**

Subdivision 2 of Division 7 of Part 6 of the *NGL* also provides for the disclosure of protected information by AEMO.

# **Amendments to the National Gas Rules Part 17 - Miscellaneous provisions relating to the AER**

## Part 17 Miscellaneous provisions relating to the AER

### 139 General regulatory information order and price information order (Section 50 of the NGL)

- (1) In making a general regulatory information order or price information order, the AER must proceed in accordance with the *standard consultative procedure*.
- (2) A consultation under subrule (1) about a price information order and a consultation about a determination under rule 140B may be conducted together.

### 140 Preparation of service provider performance report (Section 64 of the NGL)

- (1) Before the AER embarks on the preparation of service provider performance reports, the AER must consult with:
  - (a) service providers; and
  - (b) bodies representative of the pipeline industry and users of pipeline services; and
  - (c) the public generally;in order to determine appropriate priorities and objectives to be addressed through the preparation of service provider performance reports.
- (2) In the course of preparing a service provider performance report, the AER:
  - (a) must consult with the service provider or service providers to which the report is to relate; and
  - (b) must consult with the relevant jurisdictional safety and technical regulator about relevant safety and technical obligations; and
  - (c) may consult with any other persons who have, in the AER's opinion, a proper interest in the subject matter of the report; and
  - (d) may consult with the public.
- (3) A service provider to whom the report is to relate:
  - (a) must be allowed an opportunity, at least 30 business days before publication of the report, to submit information and to make submissions relevant to the subject matter of the proposed report; and
  - (b) must be allowed an opportunity to comment on material of a factual nature to be included in the report.

## **140A Gas price assumptions for reserves and resources estimates**

- (1) The AER must publish at intervals determined by the AER and at least annually, the gas price assumptions used by BB reporting entities to prepare reserves and resources estimates and related information that the AER considers relevant.
- (2) The information published under subrule (1) must be based on the information provided by BB reporting entities under rule 171C(2).
- (3) Information published in accordance with subrule (1) must be anonymised in accordance with section 328 of the NGL.
- (4) In this rule:

**BB reporting entity** has the meaning in Part 18.

**reserves and resources estimate** has the meaning in Part 18.

## **140B Other price information to be published by the AER**

- (1) Subject to subrule (7), the AER must in accordance with a determination made by the AER under subrule (2) publish information relating to the following:
  - (a) LNG netback prices at locations determined by the AER;
  - (b) if any LNG import facilities are registered under Part 18:
    - (i) LNG import parity prices at locations determined by the AER; and
    - (ii) LNG import prices;
  - (c) LNG export prices, excluding LNG export prices for export of LNG from an exempt NT facility;
  - (d) prices for natural gas under gas supply agreements; and
  - (e) prices under gas swap agreements.
- (2) The AER must determine:
  - (a) the categories of information it will publish for the purposes of subrule (1), which may include non-price information or price forecasts;
  - (b) the intervals at which the information will be published and circumstances in which publication may be delayed or not occur;
  - (c) the methodologies and inputs used to calculate the information and circumstances in which they may be modified;

- (d) measures for anonymising and aggregating information before publication and other measures the AER considers appropriate to comply with subrule (7); and
  - (e) locations for LNG netback prices and (where applicable) LNG import parity prices.
- (3) The AER must publish its determination under subrule (2) on its website.
- (4) In making a determination under subrule (2), the AER must have regard to the information that is made available on the Natural Gas Services Bulletin Board.
- (5) Before amending a determination under subrule (2), the AER must consult as the AER considers appropriate on the matters in subrule (2) and any other matter the AER considers relevant to its determination.
- (6) A consultation under subrule (5) and a consultation under rule 139 about making a price information order may be conducted together.
- (7) Where information is given to the AER under a price information order, the AER must only publish the information in accordance with subrule (1) if the information is both anonymised in accordance with section 328 of the *NGL* and aggregated in accordance with section 328B of the *NGL*.
- (8) In this rule:

**exempt NT facility** has the meaning in Part 18.

**gas supply agreement** means an agreement for the supply of natural gas but does not include an agreement for the supply of natural gas to:

- (a) a residential customer within the meaning of the National Energy Retail Law;  
or
- (b) a business customer within the meaning of the National Energy Retail Law who consumes less than 10 TJ per annum at business premises.

**gas swap agreement** includes an agreement to swap natural gas at one location for natural gas at another location or to swap natural gas at a location at a particular time for a quantity of natural gas at the same location at a different time.

**LNG** means liquefied natural gas.

**LNG import parity price** means the effective price of natural gas at a specific location or defined point, calculated by taking the delivered price of LNG and adding, as applicable, costs incurred between the delivery point of the LNG to the specific location such as gas transmission, shipping and regasification costs.

**LNG netback price** means the effective price of natural gas at a specific location or defined point, calculated by taking the delivered price of LNG and subtracting,



as applicable, costs incurred between the specific location and the delivery point of the LNG such as gas transmission, liquefaction and shipping costs.

**non-price information** includes information about delivery location, number of transactions, number of trading parties, trade dates, supply periods contract quantities and other non-price terms and conditions.

# **Amendments to the National Gas Rules Part 18 – National Gas Services Bulletin Board**

## Part 18 Natural Gas Services Bulletin Board

### Division 1 Interpretation and application

#### 141 Interpretation

- (1) In this Part:

2C resources has the meaning given in rule 171(1)(a).

1P reserves, 2P reserves and 3P reserves each has the meaning given in rule 171(1)(b).

**auction facility** has the meaning given in Part 25.

**auction service** has the meaning given in Part 25.

**auction service curtailment information** means for an auction service provided by means of an auction facility for a gas day, the curtailed quantity for that gas day for all transportation capacity sold in the capacity auction for use of the auction service on that gas day.

**BB allocation agent** means a person who determines, in respect of a BB allocation point, the allocation of deliveries or receipts of natural gas among users of the BB allocation point.

**BB allocation point** means each:

- (a) service point for a Part 24 facility registered under Part 24; and
- (b) system injection point and system withdrawal point (each as defined in Part 19) for which an Allocation Agent (as defined in Part 19) is appointed under Part 19,

excluding, in each case, a point at which the allocation of deliveries or receipts of natural gas is determined under the Retail Market Procedures.

**BB auction facility** means a BB facility that is an auction facility and subject to the capacity auction. If only part of a BB facility is an auction facility, that part is a BB auction facility.

**BB capacity transaction** means a BB transportation capacity transaction or a BB storage capacity transaction. ~~secondary capacity transaction that:~~

- ~~(a) relates to transportation capacity for use of a BB transportation service, whether or not the transaction relates to any other matter; and~~
- ~~(b) is not an excluded transaction.~~

**BB compression facility** means a designated compression service facility or a stand-alone compression service facility that meets the applicable reporting threshold.

**BB facility** means a BB production facility, a BB pipeline, ~~or~~ a BB storage facility, a BB compression facility, a BB large user facility or an LNG processing facility.

**BB field** means a field in respect of which the right to explore for, extract, recover or process petroleum is held under one or more petroleum tenements.

**BB field interest** means a net revenue interest in a BB field.

**BB information standard** is defined in rule 165~~rule 164~~.

**BB large user facility** means a user facility that meets the applicable reporting threshold.

**BB participant** means a person that is registered by AEMO under this Part.

**BB pipeline** means a BB transmission pipeline that is a scheme pipeline and any other BB transmission pipeline that meets the applicable reporting threshold.

**BB production facility** means a production facility that meets the applicable reporting threshold.

**BB reporting agent** means a person registered with AEMO under this Part in that capacity.

**BB reporting entity** means:

- (a) a facility operator registered under this Part as the BB reporting entity for one or more BB facilities;
- (b) a BB allocation agent registered under this Part as the BB reporting entity for one or more BB allocation points; ~~and~~
- (c) in relation to a BB capacity transaction, a short term LNG export transaction or a BB short term gas transaction, a person required to provide information to AEMO ~~about capacity transaction information for that BB capacity the transaction under Subdivision 5.8 of Division 5;~~
- (d) a field owner registered under this Part as the BB reporting entity for one or more BB field interests; or
- (e) a facility developer registered under this Part as the BB reporting entity for one or more facility development projects.

**BB shipper** means a person who is, or has a right to be, provided with a service by means of a BB facility including a person who:

- (a) is a party to a contract (including an operational transportation service agreement) with a facility operator for a BB facility under which the facility operator provides or intends to provide a service to that person by means of a BB facility;

- (b) has a right under an access determination to be provided with a pipeline service by means of a BB pipeline; or
- (c) is a facility operator for a BB facility or any associate of a facility operator for a BB facility and who uses or intends to use a service provided by means of the BB facility.

**BB short term gas transaction** means a short term gas supply transaction or a short term gas swap transaction that satisfies the following criteria:

- (a) under the transaction, natural gas must be supplied to a location in a participating jurisdiction (other than at or on a remote BB facility);
- (b) supply and acceptance obligations under the transaction are firm (whether or not described as firm and allowing for exceptions such as operational constraints);
- (c) the maximum quantity that a party to the transaction can be required to supply under the transaction on any gas day in the supply period is at least 1 TJ (and for this purpose, a series of transactions for supply of less than 1 TJ that in substance operates as a single transaction is to be treated as a single transaction); and
- (d) the transaction is not an excluded supply transaction.

**BB storage capacity transaction** means a secondary capacity transaction that:

- (a) relates to capacity rights for use of a BB storage service, whether or not the transaction relates to any other matter; and
- (b) is not an excluded capacity transaction.

**BB storage facility** means a gas storage facility that meets the applicable reporting threshold.

**BB storage provider** means a facility operator for a BB storage facility.

**BB storage service** means a service provided by means of a BB storage facility.

**BB terms of use** means the terms and conditions on which BB users are granted access to the Bulletin Board and which are set out in the BB Procedures.

**BB transmission pipeline** means:

- (a) a pipeline that is a transmission pipeline; or
- (b) a pipeline that would be likely to be classified in accordance with the pipeline classification criterion as a transmission pipeline.

**Note:**

A gathering line is part of a gathering system and as such is excluded from the definition of BB transmission pipeline by reason of paragraph (f) of the definition of “pipeline” in section 2 of the *NGL*. A gathering line that collects coal seam methane will be similarly excluded.

**BB transportation capacity transaction** means a secondary capacity transaction that:

- (a) relates to transportation capacity for use of a BB transportation service, whether or not the transaction relates to any other matter; and
- (b) is not an excluded capacity transaction.

~~**BB transportation facility user** means a person registered in that capacity under Subdivision 3.3B of Division 3.~~

**BB transportation service** means:

- (a) a pipeline service that is or is in the nature of:
    - (i) a forward haul service or a backhaul service (whether or not described by another name);
    - (ii) a service for the storage of natural gas (sometimes called a park service); or
    - (iii) a service for the borrowing of natural gas (sometimes called a loan service); and
  - (b) a service provided by means of a compression service facility,
- but does not include a pipeline service provided by means of a distribution pipeline.

**BB user** means:

- (a) a BB participant; and
- (b) any other person who accesses information on the Bulletin Board.

**Bulletin Board** means the Natural Gas Services Bulletin Board.

**capacity auction** means the capacity auction established by AEMO under Part 25.

**capacity right** means a right to be provided with a service by means of a natural gas industry facility in respect of a given quantity of natural gas over a given period of time. Transportation capacity is a form of capacity right.

**capacity seller** means, in relation to a secondary capacity transaction, a person disposing of a right to use ~~transportation-a~~ capacity right under that secondary capacity transaction.

~~**capacity transaction information**~~ has the meaning given in rule 141(2A).

~~capacity transaction reporting agent means a person registered with AEMO in that capacity under Subdivision 3.3B of Division 3.~~

**closely related entity** means, in relation to an entity (the **first entity**):

- (a) an entity that is a closely held subsidiary of the first entity; or
- (b) where the first entity is a closely held subsidiary of another entity (**holding entity**), the holding entity; or
- (c) an entity that is a closely held subsidiary of a holding entity of the first entity,

where “**closely held subsidiary**” has the meaning given in section 214 of the Corporations Act 2001 of the Commonwealth.

**commissioned** means:

- (a) for a BB facility that is not a pipeline, the date when the BB facility is first used on a commercial basis (whether for the benefit of a facility operator of the BB facility or for someone else); and
- (b) for a pipeline, the date the pipeline is commissioned as defined in the *NGL*.

**compression delivery point** has the meaning given in Part 25.

**compression facility operator** means a facility operator of a BB compression facility.

**compression receipt point** has the meaning given in Part 25.

**curtailed quantity** means for a gas day and a transportation service, the amount (in GJ) by which the scheduled quantity for the transportation service for the gas day is less than the nomination for use of the transportation service on that gas day, but not including any part of a nomination not included in the scheduled quantity because it exceeds the quantity of transportation capacity held by the person making the nomination.

**curtailment** has the meaning given in Part 24.

**daily capacity** means:

- (a) for a production facility, the quantity of natural gas that can be injected into one or more pipelines from the facility on a gas day ~~for the facility~~;
- (b) for a pipeline, for each direction in which natural gas can be transported on the pipeline, the quantity of natural gas that can be transported through the pipeline on a gas day ~~for the pipeline~~ in that direction;
- (c) for a gas storage facility, each of:
  - (i) the quantity of natural gas that can be withdrawn from the gas storage facility for injection into another facility on a gas day ~~for the gas storage facility~~;

- (ii) the quantity of natural gas that the gas storage facility can receive and process into storage on a gas day ~~for the facility~~; and
- (iii) the quantity of natural gas that the gas storage facility can hold in storage on a gas day ~~for the facility~~;
- ~~(d) [intentionally left blank];~~
- (d) for a compression service facility, the quantity of natural gas that can be compressed by the compression service facility on a gas day;
- (e) for a receipt point on a pipeline, the quantity of natural gas that can be injected into the pipeline through the receipt point on a gas day; ~~for the pipeline; and~~
- (f) for a delivery point on a pipeline, the quantity of natural gas that can be withdrawn from the pipeline through the delivery point on a gas day ~~for the pipeline;~~
- (g) for a user facility, the quantity of natural gas that connections to the facility are capable of allowing to be delivered to the facility from a pipeline on a gas day;
- (h) for an LNG export facility, each of:
  - (i) the quantity of natural gas that the facility can receive from a pipeline on a gas day; and
  - (ii) the quantity of natural gas that the facility can process to a liquefied state on a gas day; and
- (i) for an LNG import facility, each of:
  - (i) the quantity of LNG that the LNG import facility can receive and process into storage on a gas day;
  - (ii) the quantity of LNG that the LNG import facility can hold in storage on a gas day;
  - (iii) the quantity of LNG that can be withdrawn from storage for processing to a gaseous state on a gas day; and
  - (iv) the quantity of natural gas (in a gaseous state) that can be injected into one or more pipelines from the facility on a gas day.

**daily consumption data** means, for a BB large user facility or an LNG export facility, the quantity of natural gas delivered to the facility on a gas day.

**daily flow data** means, for a BB pipeline:

- (a) the quantity of natural gas ~~that is metered as having been, or estimated in good faith by the pipeline operator to have been,~~ injected at each receipt point on the pipeline on a gas day; and



- (b) the quantity of natural gas ~~that is metered as having been, or estimated in good faith by the pipeline operator to have been,~~ withdrawn at each delivery point on the pipeline on the gas day.

**daily production data** means:

- (a) for a BB production facility, the quantity of natural gas ~~that is metered as having been, or estimated in good faith by the facility operator to have been,~~ injected into one or more pipelines from the production facility on a gas day;
- (b) for a BB storage facility:
  - (i) the quantity of natural gas ~~that is metered as having been, or estimated in good faith by the BB storage provider to have been,~~ withdrawn from the facility on a gas day; and
  - (ii) the quantity of natural gas ~~that is metered as having been, or estimated in good faith by the BB storage provider to have been,~~ received and processed into storage injected into the facility on the gas day;
- (c) for a BB compression facility, the quantity of natural gas compressed by the BB compression facility on a gas day; and
- (d) for an LNG import facility:
  - (i) the quantity of LNG received and processed into storage on a gas day;
  - (ii) the quantity of LNG withdrawn from storage for processing to a gaseous state on a gas day;
  - (iii) the quantity of natural gas (in a gaseous state) injected into one or more pipelines from the LNG import facility on a gas day.

**delivery point** means a receipt or delivery point ~~delivery or receipt point~~ when it is used for withdrawal (that is, delivery) of natural gas from a pipeline.

**detailed facility information** has the meaning in rule 169(4).

**distribution system** means a system of distribution pipelines and associated equipment that supplies natural gas withdrawn from one or more BB pipelines to multiple end users, but excludes a transmission pipeline.

**exchange agreement** means the Gas Supply Hub Exchange Agreement made by AEMO for the gas trading exchange as amended from time to time.

**excluded capacity transaction** means:

- (a) the use of transportation capacity to satisfy an obligation to ~~deliver supply~~ natural gas under a gas supply transaction ~~an agreement for the supply of natural gas;~~

- (b) ~~a gas swap transaction~~~~an agreement to swap a quantity of natural gas at a location for a quantity of natural gas at another location;~~
- (c) a novation of an agreement ~~with a transportation service provider~~ (by termination and replacement with an agreement with at least one different party ~~the transportation service provider~~ in the same or similar terms); or
- (d) a related party transaction.

**excluded supply transaction means:**

- (a) a novation of an agreement (by termination and replacement with an agreement with at least one different party in the same or similar terms);
- (b) a related party transaction; or
- (c) a gas supply transaction where the purchaser is:
  - (i) a residential customer within the meaning of the National Energy Retail Law; or
  - (ii) a business customer within the meaning of the National Energy Retail Law who consumes less than 10 TJ per annum at business premises.

**facility developer** means a person who owns, controls or undertakes a facility development project.

**facility developer group** is defined in rule 152(3).

**facility development project** means a project for:

- (a) the extension or expansion, or proposed extension or expansion, of a BB facility; or
- (b) the development, extension or expansion or the proposed development, extension or expansion of a natural gas industry facility that will be a BB facility when the development, extension or expansion is commissioned,

and that satisfies the criteria in the BB Procedures for classification as a proposed or committed development.

**facility operator** means for:

- (a) a BB production facility: each producer, user or non-scheme pipeline user who owns, operates or controls the BB production facility;
- (b) a BB transmission pipeline: each service provider or gas market operator for the BB transmission pipeline;
- (c) a BB storage facility: each storage provider for the BB storage facility;
- (d) a BB compression facility: each compression service provider who owns, operates or controls the BB compression facility;

- (e) a BB large user facility: each person with operational control (as defined in the NGER Act) of the BB large user facility;
- (f) an LNG processing facility: each LNG service provider who owns, operates or controls the LNG processing facility.

**facility operator group** is defined in rule 150(3)152.

**field** has the meaning given to 'Field' in SPE-PRMS.

**field owner** means a person with a BB field interest.

**field owner group** is defined in rule 151(3).

**gas day** means in respect of a BB facility, the 24 hour period for which nominations are provided, ~~commencing at the time advised by the facility operator under rule 170.~~

**gas seller** means in relation to:

- (a) a gas supply transaction, a person with an obligation under the transaction to supply natural gas;
- (b) a gas swap transaction, each party to the transaction; and
- (c) an LNG export transaction, a person with an obligation under the transaction to supply LNG.

**gas storage facility** means a facility for storing natural gas (including LNG) for injection into a pipeline, but does not include:

- (a) a facility for storing imported LNG that is part of an LNG import facility; or
- (b) a facility for storing LNG prior to export at an LNG export facility.

**gas supply transaction** means a transaction (other than a gas swap transaction or an LNG export transaction) for the supply of natural gas.

**gas swap transaction** means a transaction under which both parties to the transaction have an obligation to supply natural gas such that either or both:

- (a) a quantity of natural gas at a location is swapped for a quantity of natural gas at another location; or
- (b) a quantity of natural gas at a location at a particular time is swapped for a quantity of natural gas at the same location at a different time.

**gas trading exchange** means the gas trading exchange established under Part 22.

**gate station** means a delivery point that serves a distribution system.

**GJ** means gigajoule.

**GSH Operator** means AEMO or a person appointed under Part 22 from time to time to perform the role of Operator under that Part.

GST has the meaning given in the A New Tax System (Goods and Services Tax) Act 1999 of the Commonwealth.

independent means in relation to the relationship between a BB reporting entity and a qualified gas industry professional, one in which there are no circumstances that could, in the opinion of a reasonable person aware of all relevant facts, interfere with the qualified gas industry professional's exercise of judgement regarding the preparation of information which is prepared by, or under the supervision of, or subject to audit or verification by, the qualified gas industry professional.

**LCA flag** for:

(a) a BB pipeline for a gas day means a green, amber or red flag indicating the actual or expected capability of the BB pipeline to meet the aggregated nominations for withdrawals from the BB pipeline for that gas day based on the pipeline's linepack and capacity; and

~~(b) [intentionally left blank];~~

(b) for a BB compression facility for a gas day means a green, amber or red flag indicating the actual or expected capability of the BB compression facility to meet the aggregated nominations for use of the BB compression facility for that gas day based on the facility's capacity.

**Note:**

The meaning of a green, amber or red flag is specified in the BB Procedures.

**lateral gathering pipeline** means a pipeline:

- (a) operated as part of an upstream producing operation; and
- (b) used principally to transport natural gas for injection into a BB facility operated as part of the upstream producing operation where that BB facility is not itself a lateral gathering pipeline.

liquefied natural gas or LNG means natural gas in a liquid state.

LNG export facility means an LNG facility for the processing of natural gas from a gaseous state to LNG and loading of the LNG on to a ship.

LNG export transaction means a transaction where:

- (a) a party to the transaction has an obligation to supply natural gas;
- (b) the natural gas is to be transported by ship as LNG; and
- (c) loading of the LNG for shipment occurs at an LNG export facility registered under this Part.

**LNG import facility** means an LNG facility for the unloading of LNG delivered by ship, storage of the LNG and the processing of the LNG to a gaseous state.

**LNG processing facility** means an LNG export facility or an LNG import facility.

**LNG shipment data** means:

- (a) in relation to a shipment of LNG from an LNG export facility, the identity of the LNG export facility, the shipment departure date and the total shipment volume (in PJ); and
- (b) in relation to a shipment of LNG received at an LNG import facility, the identity of the LNG import facility, the date unloading commences at the LNG import facility and the total shipment volume (in PJ).

**master trading agreement** means a contract, arrangement or understanding under which the parties may from time to time agree to a supply of goods or services (each a 'transaction') on the terms provided for in the master trading agreement and other terms agreed by the parties for the transaction.

**material change** means:

- (a) in respect of nameplate rating information for a BB facility (other than a BB large user facility), the information is no longer accurate due to changes in the capacity of the BB facility that are likely to impact the BB facility for more than one year;
- (b) [not used]~~[intentionally left blank]~~;
- (c) in respect of a short term capacity outlook for a BB facility, a change to the short term capacity outlook that exceeds the greater of A and B where:
  - (i) A is 5 TJ; and
  - (ii) B is the lesser of 10% of the nameplate rating of the BB facility and 30 TJ; and
- (d) in respect of information about nominated or forecast use of a service provided by means of a BB facility, a change to the nomination or forecast that exceeds the greater of A and B where:
  - (i) A is 5 TJ; and
  - (ii) B is the lesser of 10% of the nameplate rating of the BB facility and 30 TJ.

**medium term capacity outlook** for a BB facility means information about matters expected to affect the daily capacity of the BB facility, for an outlook period of 12 months beyond the current short term capacity outlook provided by the relevant facility operator including the information required under rule 181.

**nameplate rating** has the meaning given in rule 141(2).

net revenue interest has the meaning given to 'Net Revenue Interest' in SPE-PRMS, expressed as a percentage.

NGER Act means the National Greenhouse and Energy Reporting Act 2007 of the Commonwealth.

**nomination** means the natural gas quantities notified by a BB shipper to the relevant facility operator to specify the BB shipper's intended use of a service provided by means of a BB facility for a period of time.

~~NT application date~~ means the date falling 90 days after the date on which the first NT interconnector is commissioned.

~~NT interconnector~~ means a transmission pipeline capable of transporting natural gas between a location in the Northern Territory and a location in Queensland, New South Wales or South Australia and that is not a remote pipeline.

**Part 18 replacement date** means the date on which the rule by which this definition was inserted in the National Gas Rules came into effect.

**Part 24 facility** has the meaning given in Part 24.

petroleum tenement means a right to explore for, extract, recover or process petroleum granted under the law of a participating jurisdiction and includes:

- (a) exploration, retention and production rights;
- (b) rights granted in the form of a permit, licence, lease or authority to prospect;
- (c) rights granted in respect of the internal waters of a State or Territory;
- (d) rights granted in respect of the coastal waters of a State or the Northern Territory; and
- (e) rights granted in respect of the offshore area of a State or Territory as determined in accordance with the Offshore Petroleum and Greenhouse Gas Storage Act 2006 of the Commonwealth.

**pipeline operator** means a facility operator for a BB pipeline.

PJ means petajoule.

primary capacity means in relation to a BB facility, a firm capacity right in relation to the BB facility that is contracted or available to be contracted to a BB shipper under a primary capacity transaction.

primary capacity transaction means a transaction under which an owner, operator or controller of a natural gas industry facility sells or otherwise contracts a capacity right in relation to the natural gas industry facility to another person.

~~primary pipeline capacity~~ means ~~firm capacity on a BB pipeline that is sold by a pipeline operator to a BB shipper, giving the buyer the right to transport an agreed quantity of natural gas on that pipeline for an agreed period.~~

**production facility** means a gas processing plant~~facility~~ at which natural gas is produced so that it is in a form suitable for injection into one or more BB pipelines.

**production facility operator** means a facility operator for a BB production facility.

**qualified gas industry professional** means a person:

- (a) who is a gas industry professional and a member of good standing of a professional organisation of engineers, geologists or other professional organisation of geoscientists that has disciplinary powers, including the power to suspend or expel a member; and
- (b) whose professional practice includes evaluations or audits of petroleum reserves and contingent resources.

**receipt point** means a receipt or delivery point~~delivery or receipt point~~ when it is used for injection (i.e. receipt) of natural gas into a pipeline.

**registered BB shipper** means a BB shipper registered with AEMO under Subdivision 3.13.5 of Division 3.

**related party transaction** means a ~~secondary capacity~~ transaction where each party to the transaction is a closely related entity in relation to each other party to the transaction.

**remote BB facility** means a BB facility that is or is connected to a remote pipeline.

**remote pipeline** means a transmission pipeline that:

- (a) is not an STTM facility or part of a declared transmission system;
- (b) is not a pipeline on which natural gas sold through the gas trading exchange may be physically delivered or received or through which such natural gas may be transported;
- (ba) is not a Part 24 facility; and
- (c) is not connected directly or indirectly to a pipeline satisfying paragraph (a), (b) or (ba) of this definition.

**renomination** has the meaning given in Part 24.

**reporting threshold** means:

- (a) in relation to a production facility: ~~that where~~ the nameplate rating of the production facility is, or (in the case of a proposed production facility) will be, equal to or more than 10 TJ of natural gas per day;

- (b) in relation to a pipeline: ~~that where~~ the nameplate rating of the pipeline is, or (in the case of a proposed pipeline) will be, equal to or more than 10 TJ of natural gas per day;
- (c) in relation to a gas storage facility: ~~that where~~ the production nameplate rating of the gas storage facility is, (or in the case of a proposed gas storage facility) will be, equal to or more than 10 TJ of natural gas per day;
- (d) in relation to a compression service facility: where at least one of the values comprising the nameplate rating of the compression facility is, or (in the case of a proposed compression facility) will be, equal to or more than 10 TJ of natural gas per day;
- (e) in relation to a user facility: where the nameplate rating of the user facility is, or (in the case of a proposed user facility) will be, equal to or more than 10 TJ of natural gas per day.

reserves and resources estimate means an estimate of 1P, 2P or 3P reserves or 2C resources under rule 171B(1).

reserves reporting year is defined in rule 171(7).

responsible facility developer is defined in rule 152(3).

**responsible facility operator** is defined in rule ~~150(3)~~152.

responsible field owner is defined in rule 151(4).

responsible reporting entity means a responsible facility developer, responsible facility operator or responsible field owner.

retail market operator means AEMO in its capacity as operator of a regulated retail gas market.

**scheduled quantity** has the meaning given in Part 25.

**secondary capacity transaction** ~~has the meaning given in the NGL~~ means a transaction, other than a primary capacity transaction, under which a person disposes of some or all of its capacity right, including disposal by means of:

- (a) transfer, sale, assignment, exchange or other disposal; and
- (b) the grant of a right to use, directly or indirectly, the capacity right.

**Note:**

The term secondary capacity transaction includes bare transfers and operational transfers.

**service point** has the meaning given in Part 24.

**service term** means, in relation to a secondary capacity transaction, the period over which the capacity seller's ~~right to use transportation~~ capacity right (or a part of it) is transferred or otherwise made available to the other party to the transaction.



**short term capacity outlook** means:

(a) for a BB facility other than a BB compression facility, ~~on any gas day,~~ the facility operator's good faith estimate of the daily capacity of the BB facility for each of gas days D to D+6 ~~D+1 to D+7~~;

~~(b) [intentionally left blank].~~

(b) for a BB compression facility, the facility operator's good faith estimate of a set of values describing the expected daily capacity of the facility under expected operating conditions for each of gas days D to D+6.

**short term gas supply transaction** means a gas supply transaction under which the end of the supply period is before the first anniversary of the start of the supply period.

**short term gas swap transaction** means a gas swap transaction under which the end of the supply period is before the first anniversary of the start of the supply period.

**short term gas transaction information** has the meaning given in rule 141(2B).

**short term LNG export transaction** means an LNG export transaction under which the end of the supply period is before the first anniversary of the start of the supply period.

**short term LNG export transaction information** means the following categories of information in relation to a short term LNG export transaction:

(a) the identity of the parties to the transaction and which of the parties is a gas seller in relation to the transaction;

(b) the trade date;

(c) the supply period;

(d) the transaction quantity the subject of the transaction (in PJ);

(e) the LNG export facility at which the LNG is loaded; and

(f) the free on board price for the LNG (in \$/GJ), excluding any amount on account of GST.

**SPE-PRMS** means the document called "Petroleum Resources Management System" published in 2018 and sponsored by the Society of Petroleum Engineers, the American Association of Petroleum Geologists, the World Petroleum Council and the Society of Petroleum Evaluation Engineers and others as amended from time to time.

**Note:**

This document, or information about where to obtain this document, is on the AEMC's website.

**stand-alone compression service facility** has the meaning given in Part 24.

**storage cushion gas** means for a BB storage facility, the quantity of natural gas that must be retained in the facility in order to maintain the required pressure and deliverability rates.

**supply** includes supply (as defined in the *NGL*) where delivery occurs at an in-pipe delivery point or by sub-allocation.

**supply period** means for a gas supply transaction, gas swap transaction or LNG export transaction, the period during which a party to the transaction has or may have an obligation to deliver natural gas (whether in gaseous form or as LNG) on one or more days in the period. Where a transaction is entered into under a master trading agreement, the supply period is the supply period of the transaction and not the term of the master trading agreement.

**STTM facility** is defined in Part 20.

**TJ** means terajoule.

**trade date** means, for a ~~transaction~~ ~~secondary capacity transaction~~, the date on which the transaction is entered into.

**transaction** includes:

- (a) a transaction under a master trading agreement, even if all transactions under the agreement are treated as forming one contract; and
- (b) any other contract, arrangement or understanding for the supply of goods or services.

**transfer**, in relation to ~~transportation~~ a capacity right, includes a reduction in a person's capacity right and a corresponding increase in another person's capacity right, whether or not on the same terms and conditions; ~~has the meaning given in the *NGL*.~~

**transportation service point register** has the meaning given in Part 24.

~~**uncontracted primary pipeline capacity** means primary pipeline capacity that a pipeline operator has available for sale or that it will have available for sale.~~

**uncontracted primary capacity** means:

- (a) in relation to a BB storage facility, the combination of the:
  - (i) primary capacity for storage in the BB storage facility;
  - (ii) primary capacity for injection of gas into the BB storage facility; and
  - (iii) primary capacity for withdrawal of gas from the BB storage facility.

that a BB storage provider has available for sale or that it will have available for sale;

(b) in relation to an LNG import facility, the:

- (a) primary capacity for storage in the LNG import facility; and
- (b) primary capacity for regasification by the LNG import facility,

that an LNG facility operator has available for sale or that it will have available for sale; and

(c) in relation to any other BB facility, primary capacity of the BB facility that its facility operator has available for sale or that it will have available for sale.

~~**uncontracted storage capacity** means in respect of a BB storage facility the combination of:~~

- ~~(a) the capacity in the BB storage facility;~~
- ~~(b) the capacity for injection of gas into the BB storage facility; and~~
- ~~(c) the capacity for withdrawal of gas from the BB storage facility~~

~~that a BB storage provider has available for sale or that it will have available for sale.~~

**user facility** means an activity, or a series of activities (including ancillary activities), that comprise a facility within the meaning of the NGER Act and that:

- (a) involves the consumption of natural gas from the operation of the facility including own-use (including as feedstock and conversion to compressed natural gas); and
- (b) is not an LNG processing facility or principally comprises the operation of a production facility, gas storage facility or compression service facility.

**zone** has the meaning given in Part 24.

(2) In this Part the term **nameplate rating**:

- (a) when used in the context of:
  - (i) a production facility; ~~or~~
  - (ii) a transmission pipeline; ~~or~~
  - (iii) a user facility;

means the maximum daily capacity of the facility under normal operating conditions;

- (b) when used in the context of a gas storage facility means each of:

- (i) the maximum quantity of natural gas that can be withdrawn from the gas storage facility for injection into another facility on a gas day under normal operating conditions (the **production nameplate rating**);
  - (ii) the maximum quantity of natural gas that the gas storage facility can receive and process into storage on a gas day under normal operating conditions (the **refill nameplate rating**); and
  - (iii) the maximum quantity of natural gas that the gas storage facility can hold in storage under normal operating conditions (the **storage nameplate rating**);
- (c) when used in the context of a gate station means the maximum quantity of natural gas that can be transported through that gate station on a gas day under normal operating conditions; ~~and~~
- (d) when used in the context of a receipt point or delivery point, means the maximum daily capacity of the receipt point or delivery point under normal operating conditions;
- (e) when used in the context of a compression service facility means a set of values describing the maximum daily capacity of the facility under a corresponding set of expected standard operating conditions;
- (f) when used in the context of an LNG export facility means each of:
- (i) the maximum quantity of natural gas that the facility can receive from a pipeline on a gas day under normal operating conditions; and
  - (ii) the maximum quantity of natural gas that the facility can process to a liquefied state on a gas day under normal operating conditions; and
- (g) when used in the context of an LNG import facility means each of:
- (i) the maximum quantity of LNG that the LNG import facility can receive and process into storage on a gas day under normal operating conditions;
  - (ii) the maximum quantity of LNG that the LNG import facility can hold in storage on a gas day under normal operating conditions;
  - (iii) the maximum quantity of LNG that can be withdrawn from storage for processing to a gaseous state on a gas day under normal operating conditions; and
  - (iv) the maximum quantity of natural gas (in a gaseous state) that can be injected into one or more pipelines from the facility on a gas day under normal operating conditions.

(2A) In this Part, the term **capacity transaction information** means the following categories of information in relation to a BB capacity transaction or the ~~transportation~~ service to which the BB capacity transaction relates:

- (a) the identity of the parties to the transaction and which of the parties is a capacity seller in relation to the transaction;
- (b) the trade date;
- (c) the service term;

(d) for a BB transportation capacity transaction:

- (i) the transportation facility by means of which the transportation service is provided;
- (ii) except where the transaction is concluded through the gas trading exchange, whether the transaction is on the same or substantially the same terms as the standard OTSA published under Part 24 for the transportation facility;
- (iii) where the transaction is concluded through the gas trading exchange, whether the transaction is a pre-matched trade (as defined in the exchange agreement ~~for the gas trading exchange~~);
- (iv) the BB transportation service to which the transaction relates;
- (v) the priority given to the transportation service to which the transaction relates (such as firm, as available or interruptible);
- (vi) as relevant to the transportation service:
  - (A) in the case of a forward haul or backhaul service, the direction of service; and
  - (B) where required by the BB Procedures, each service point at or between which the service is provided, and, where the relevant transportation facility is a Part 24 facility, by reference to the specification of the service point in the transportation service point register;
- (vii) the transaction quantity the subject of the transaction, expressed as a maximum daily quantity or MDQ (in GJ/day);
- (viii) except where the transaction is concluded through the gas trading exchange, the maximum hourly quantity (or MHQ) for the transportation service (in GJ/hour);

(e) for a BB storage capacity transaction:

- (i) the gas storage facility by means of which the service is provided;
- (ii) the priority given to the service to which the transaction relates (such as firm, as available or interruptible);

(iii) the storage capacity the subject of the transaction, expressed as a maximum daily quantity or MDQ (in GJ); and

(iv) where relevant, the injection and withdrawal capacity (in GJ/day);

(f) the transaction price (in \$/GJ/day or where relevant, in \$/GJ) excluding any amount on account of GST, as defined in the A New Tax System (Goods and Services Tax) Act 1999 of the Commonwealth;

(gm) the price structure applicable to the transaction, for example whether it is a fixed price or a variable price or a combination of the two; and

(hn) any price escalation mechanism applicable to the transaction.

(2B) In this Part, the term **short term gas transaction information** means the following categories of information in relation to a BB short term gas transaction:

(a) the identity of the parties to the transaction and which of the parties is a gas seller in relation to the transaction;

(b) the trade date;

(c) the supply period start and end dates;

(d) the location at which the gas seller must supply the gas by reference to a receipt or delivery point or other location identifier specified in the BB Procedures;

(e) in the case of a gas swap transaction, the type of swap (locational or time-based);

(f) the transaction quantity, that is, the total maximum quantity of gas that may be sold or swapped (as applicable) under the transaction (in GJ);

(g) the take or pay quantity, that is, the total minimum quantity of gas that may be sold or swapped (as applicable) under the transaction (in GJ);

(h) the maximum quantity that can be required to be supplied on any gas day in the supply period (in GJ/day);

(i) the transaction price (in \$/GJ) excluding any amount on account of GST;

(j) the price structure applicable to the transaction, for example whether it is a fixed price or a variable price or a combination of the two; and

(k) any price escalation mechanism applicable to the transaction.

(3) In this Part a reference to a quantity of natural gas is to an energy quantity (expressed in whole TJ unless otherwise specified in this Part or the BB Procedures), rather than a volumetric or other quantity.

(4) In this Part, in relation to a BB reporting entity, a reference to:

- (a) “its” BB facility or BB field interest is a reference to each BB facility or BB field interest for which it is registered as the BB reporting entity; ~~and~~
  - (b) “its” BB allocation point is a reference to each BB allocation point for which it is registered as the BB reporting entity; and
  - (c) “its” facility development project is a reference to each facility development project for which it is registered as the BB reporting entity.
- (5) In this Part, a reference to:
- (a) gas day D is a reference to whichever gas day is designated by the relevant rule;
  - (b) gas day D-n is a reference to the gas day occurring n gas days before gas day D; and
  - (c) gas day D+n is a reference to the gas day occurring n gas days after gas day D.

**142      Application of this Part~~This Part does not apply~~ in Western Australia**

- (1) This Part does not apply ~~in to a facility in~~ Western Australia that (but for this rule) would be a BB facility until the day fixed in an order under section 20A of the National Gas Access (Western Australia) Law within the meaning of the *National Gas Access (WA) Act 2009* of Western Australia.
- (2) This Part does not apply to a petroleum title granted in respect of the offshore area of Western Australia (as determined in accordance with section 8(1) of the Offshore Petroleum and Greenhouse Gas Storage Act 2006 of the Commonwealth) until the day fixed in an order under section 20A of the National Gas Access (Western Australia) Law within the meaning of the National Gas Access (WA) Act 2009 of Western Australia.

**143      ~~[Deleted]~~Application to BB facilities located in the Northern Territory**

- ~~(1) Until the NT application date, this Part does not apply to:~~
  - ~~(a) a BB facility in the Northern Territory commissioned on or before the NT application date;~~
  - ~~(b) [intentionally left blank];~~
  - ~~(c) [intentionally left blank].~~
- ~~(2) Until the NT application date, this Part does not apply to:~~

- ~~(a) a person in the capacity of facility operator of a BB facility mentioned in subrule (1);~~
- ~~(b) [intentionally left blank].~~
- ~~(3) On and from the NT application date, this Part applies to BB facilities mentioned in subrule (1) and the facility operators mentioned in subrule (2) in the capacity mentioned in that subrule as if each reference in Division 3 to the Part 18 replacement date were a reference to the NT application date.~~

#### 143A Application to specified NT facilities and fields after the NT application date

- (1) For the purposes of this rule 143A:

**BB application event** means an event specified under subrule (5).

**BB application notice** means a notice issued by the AER under subrule (4).

**emergency gas flow notice** means a notice from PWC to the AER that includes the information specified in subrule (8).

**emergency gas supply test** means the supply of natural gas from an exempt NT facility to a WPP connection point to test the emergency gas flow facilities of that exempt NT facility.

**exempt NT facility** means a BB facility upstream of any WPP connection point.

**exempt NT facility operator** means a person in the capacity of facility operator of an exempt NT facility.

**exempt NT field** means a BB field:

(a) located in the offshore area of the Northern Territory (as determined in accordance with section 8(1) of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* of the Commonwealth); and

(b) where gas produced from the BB field is supplied exclusively to an LNG export facility that is an exempt NT facility.

In determining whether a BB field satisfies paragraph (b) of this definition, disregard on-supply from the exempt NT facility.

**exempt NT field owner** means a person in the capacity of field owner of an exempt NT field.

**gas supply outage** means an interruption to the supply of natural gas from a natural gas facility in the Northern Territory.

**PWC** means Power and Water Corporation ABN 15 947 352 360, or any successor to its business.



**Wickham Point Pipeline** means the lateral transmission pipeline called the Wickham Point Pipeline as described in the pipeline register maintained by the AEMC under Part 15 of these rules.

**WPP connection points** means the following receipt and delivery points:

- (a) Bladdin Point Exit DS on the Wickham Point Pipeline;
  - (b) Wickham Point Entry DS Receipt Point, located at the letdown station operated by PWC between the Wickham Point Pipeline and a lateral pipeline operated by Darwin LNG; and
  - (c) any other receipt or delivery point on the Wickham Point Pipeline that allows for the flow of natural gas between the Wickham Point Pipeline and either the Ichthys LNG or Darwin LNG facilities.
- (2) This Part does not apply in respect of:
- (a) a BB facility that is an exempt NT facility; or
  - (b) an exempt NT facility operator,

until the date specified in a BB application notice to an exempt NT facility operator in respect of one or more exempt NT facilities.

(2A) This Part does not apply in respect of:

- (a) a BB field that is an exempt NT field; or
- (b) an exempt NT field owner,

until the date specified in a BB application notice to the exempt NT facility operator in respect of the LNG export facility supplied by the exempt NT field.

~~(3) This Part applies to a former exempt NT facility and former exempt NT facility operator as if each reference in Division 3 to the Part 18 replacement date were a reference to the date specified in a BB application notice issued to a former exempt NT facility operator in respect of one or more former exempt NT facilities~~

(3) If a BB application notice is given in respect of an exempt NT facility, from the date specified in the relevant BB application notice this Part applies to:

- (a) the exempt NT facility and its facility operator; and
- (b) if it is an LNG export facility, any exempt NT field that supplies the exempt NT facility and its field owner.

(3A) If a BB field ceases to be an exempt BB field because it no longer satisfies paragraph (b) of the definition of 'exempt BB field', this Part applies to the former

exempt BB field and its field owner from the date the BB field commences supply other than in accordance with that paragraph.

- (4) The AER may, but is not required to, issue a BB application notice to an exempt NT facility operator in respect of one or more exempt NT facilities if the AER is satisfied that one or more of the BB application events has occurred having regard to any relevant emergency gas flow notices and any other information the AER considers relevant.
- (5) For the purposes of subrule (4), BB application event means:
  - (a) natural gas was withdrawn from the Wickham Point Pipeline through a WPP connection point for delivery to either the Ichthys LNG or Darwin LNG facilities on a gas day after the gas day that ends on 31 December 2019;
  - (b) natural gas was injected into the Wickham Point Pipeline through a WPP connection point on a gas day when there was no gas supply outage (planned or unplanned) or emergency gas supply test; or
  - (c) natural gas was injected into the Wickham Point Pipeline through a WPP connection point on a gas day when there was a gas supply outage (planned or unplanned) or emergency gas supply test but:
    - (i) in the case of a gas supply outage, the volume of natural gas injected into the Wickham Point Pipeline through a WPP connection point on the gas day was more than reasonably required to replace the volume of natural gas interrupted on the gas day as a result of the gas supply outage; and/or
    - (ii) the duration over which natural gas was injected into the Wickham Point Pipeline through a WPP connection point was materially greater than the duration of the gas supply outage or emergency gas supply test (as applicable).
- (6) A BB application notice must:
  - (a) include:
    - (i) the date from which this Part will apply to an exempt NT facility operator in respect of one or more exempt NT facilities; and
    - (ii) the AER's reason for issuing the BB application notice under subrule (4); and
  - (b) be published by the AER.
- (7) If on a gas day, natural gas is injected at a WPP connection point then, within 10 business days of that gas day (or if gas flowed on consecutive days, the last gas day of those consecutive gas days), PWC must provide an emergency gas flow notice to the AER.

- (8) An emergency gas flow notice must include:
  - (a) each WPP connection point through which gas was injected into the Wickham Point Pipeline or withdrawn from the Wickham Point Pipeline on the gas days covered by the notice;
  - (b) in the case of a gas supply outage, whether the outage was planned or unplanned;
  - (c) the reason for the gas supply outage or emergency gas supply test (as applicable);
  - (d) in the case of a gas supply outage, the extent of the outage in terms of its impact on the amount of gas that could be withdrawn from facilities used to deliver natural gas to PWC, including which facilities were impacted on the gas day; and
  - (e) the duration of the gas supply outage or emergency gas supply test (as applicable).
- (9) An emergency gas flow notice must be signed by an authorised officer of PWC.

## **144 Application to remote BB facilities**

- (1) This Part does not apply in respect of:
  - (a) a remote BB facility, for so long as the BB facility is a remote BB facility; or
  - (b) a person in the capacity of facility operator of a remote BB facility, for so long as the BB facility is a remote BB facility.
- (2) This Part applies to a former remote BB facility and a person in the capacity of facility operator of a former remote BB facility [from the date the BB facility ceases to be a remote BB facility as if each reference in Division 3 to the Part 18 replacement date were a reference to the date on which the former remote BB facility ceased to be a remote BB facility.](#)

## **Division 2 Bulletin Board**

### **145 Purpose of the Bulletin Board**

The purpose of the Bulletin Board is to make information [relating to the natural gas industry](#) available to BB users to facilitate:

- (a) trade in natural gas and natural gas services;
- (b) informed and efficient decisions in relation to the provision and use of natural gas and natural gas services; and
- (c) negotiations for access to BB pipelines [and other BB facilities providing third party access.](#)

## 146 Maintaining the Bulletin Board

AEMO must maintain the Bulletin Board in accordance with the *NGL*, the Rules and the BB Procedures.

## 147 AEMO to maintain BB Register

- (1) AEMO must establish and maintain a register, in the form specified in the BB Procedures, that includes particulars of each:
  - (a) ~~[deleted]; facility operator for each BB facility;~~
  - (b) BB facility and its BB reporting entity;
  - (c) BB field interest and its BB reporting entity;
  - (d) field owner group formed pursuant to rule 151(3)(b) on the basis the members of the group are engaged in joint marketing;
  - (e) ~~[intentionally left blank];~~
  - (d) ~~[intentionally left blank];~~
  - (e) BB reporting agent;~~[intentionally left blank];~~
  - (f) BB allocation point and its BB reporting entity; and
  - (g) facility development project and its BB reporting entity;
  - (g) ~~BB transportation facility user; and~~
  - (h) ~~capacity transaction reporting agent.~~
- (1A) AEMO must include in the BB register or elsewhere on the Bulletin Board information about exemptions granted in accordance with rule 164 or rule 190.
- (2) AEMO must publish the register on the Bulletin Board.
- (3) AEMO must publish a notice on the Bulletin Board of any of the following changes to the register as soon as practicable after it becomes aware of the change:
  - (a) ~~[deleted]; a facility operator is included in the register or removed from the register;~~
  - (b) a BB facility or BB field interest is included in the register or removed from the register;
  - (c) a change to the identity of the BB reporting entity for a BB facility, BB field interest or facility development project;
  - (d) a BB allocation agent is included in the register or removed from the register;

- (e) a BB allocation point is included in the register or removed from the register;  
or
- (f) a change to the identity of the BB reporting entity for a BB allocation point.

~~(4) AEMO must publish a notice on the Bulletin Board of the NT application date as soon as practicable after it becomes aware of the date.~~

## 148 Information on compliance

AEMO must, in accordance with any memorandum of understanding established between AEMO and the AER, notify the AER of any breaches, or possible breaches, of this Part that AEMO becomes aware of.

## 149 Biennial reports

- (1) AEMO must, in consultation with BB users, the AER and the AEMC, prepare a report about the Bulletin Board at least every two years containing the information referred to in subrule (2).
- (2) Reports under subrule (1) must include:
  - (a) a summary of AEMO's program of work to maintain the Bulletin Board over the review period and on a forward looking basis;
  - (b) performance and usage statistics;
  - (c) any recommendations for change; and
  - (d) other information that AEMO considers relevant.
- (3) AEMO must publish each report under subrule (1) on its website.

## Division 3 Register and registration

### Subdivision 3.1 Registration categories

#### 150 Registration by facility operators or for facility operator groups

- (1) Subject to subrule (5), a facility operator must register under this Part as the BB reporting entity for each BB facility for which it is a facility operator.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

- (2) A facility operator must apply to AEMO to register under this Part as the BB reporting entity for a BB facility for which it is or intends to be a facility operator (including a responsible facility operator) no later than:

- (a) for a new BB facility, including a natural gas industry facility that becomes a BB facility following an extension or expansion, 20 business days before the facility or the relevant expansion or extension to the facility is commissioned;
- (b) where there is a change to the facility operator for a BB facility, 5 business days after the facility operator becomes a facility operator for the BB facility;  
or
- (c) where applicable, 20 business days after an exemption from registration under this Part ceases to apply, including under subrule (5) in respect of the facility operator or under 143A or rule 144 in respect of the BB facility.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

- (3) If there is more than one facility operator for a BB facility:
  - (a) each facility operator for the BB facility is taken to be a member of a **facility operator group** for that BB facility (the **relevant BB facility**); and
  - (b) the members of a facility operator group must appoint one of the members in writing to be the **responsible facility operator** and to register as the BB reporting entity for the relevant BB facility.
- (4) The responsible facility operator of a facility operator group must register under this Part as the BB reporting entity for the relevant BB facility in accordance with subrule (1) and must apply for registration within the time required under subrule (2).
- (5) On registration of a responsible facility operator as the BB reporting entity for a relevant BB facility and for so long as that registration remains in effect, each other member of the facility operator group is exempt from the requirement to register under subrule (1) as the BB reporting entity for the relevant BB facility.

## **151 Registration by field owners or for field owner groups**

- (1) Subject to subrule (6), a field owner must register under this Part as the BB reporting entity for each BB field interest for which it is a field owner.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

- (2) A field owner must apply to AEMO to register under this Part as the BB reporting entity for a BB field for which it is or intends to be a field owner (including a responsible field owner) not later than:
  - (a) 20 business days after the field owner becomes a field owner for the BB field interest, including by reason of the acquisition of the interest or the grant of a petroleum tenement; or

- (b) where applicable, 20 business days after an exemption from registration under this Part ceases to apply, including under subrule (6) in respect of the field owner or under rule 143A in respect of a BB field.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

- (3) Two or more persons may form a **field owner group** in relation to a BB field (the **group of BB field interests**) for the purposes of reporting under this Part if either:
  - (a) the persons are closely related entities and one or more of them has a net revenue interest in the BB field; or
  - (b) each of them holds a net revenue interest in the BB field and they are engaged in joint marketing of natural gas produced from the BB field.
- (4) The members of a field owner group may appoint one of the members in writing to be the **responsible field owner** and to register as the BB reporting entity for the group of BB field interests.
- (5) The responsible field owner for a group of BB field interests appointed in accordance with subrule (4) must register under this Part as the BB reporting entity for all the BB field interests in the group of BB field interests in accordance with subrule (1) and must apply for registration within the time required under subrule (2).
- (6) On registration of a responsible field owner as the BB reporting entity for all the BB field interests in a group of BB field interests and for so long as that registration remains in effect, each other member of the field owner group is exempt from the requirement to register under subrule (1) as the BB reporting entity for a BB field interest in the group of BB field interests.

## **152 Registration by facility developers or for facility developer groups**

- (1) Subject to subrule (5), a facility developer must register under this Part as the BB reporting entity for each facility development project for which it is a facility developer.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

- (2) A facility developer must apply to AEMO to register under this Part as the BB reporting entity for a facility development project for which it is or intends to be a facility developer (including a responsible facility developer) not later than:
  - (a) for a new facility development project, 20 business days after the facility development project first satisfies the criteria in the BB Procedures to be classified as a proposed development;

- (b) where there is a change to the facility developer for facility development project for which a BB reporting entity is registered under this Part, 5 business days after the facility developer becomes a facility developer for the facility development project; or
- (c) where applicable, 20 business days after an exemption under subrule (5) from registration under this Part ceases to apply.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

- (3) If there is more than one facility developer for a facility development project:
  - (a) each facility developer for the facility development project is taken to be a member of a **facility developer group** for that facility development project (the **relevant facility development project**); and
  - (b) the members of a facility developer group must appoint one of the members in writing to be the **responsible facility developer** and to register as the BB reporting entity for the relevant facility development project.
- (4) The responsible facility developer of a facility developer group must register under this Part as the BB reporting entity for the relevant facility development project in accordance with subrule (1) and must apply for registration within the time required under subrule (2).
- (5) On registration of a responsible facility developer as the BB reporting entity for a relevant facility development project and for so long as that registration remains in effect, each other member of the facility developer group is exempt from the requirement to register under subrule (1) as the BB reporting entity for the relevant facility development project.

## **153 Registration by BB allocation agents**

- (1) A BB allocation agent must register under this Part as the BB reporting entity for each BB allocation point for which it is the BB allocation agent.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

- (2) A BB allocation agent must apply to AEMO to register under this Part in respect of a BB allocation point not later than:
  - (a) for a new BB allocation point, 20 business days after the relevant point becomes a BB allocation point; or
  - (b) where the BB allocation agent for a BB allocation point changes, 5 business days after the person becomes the BB allocation agent for the BB allocation point.



**Note:**

It is proposed to classify this subrule as a civil penalty provision.

## **154 Other registration categories**

- (1) A person who is, or who intends to be, a BB shipper, capacity seller or gas seller may apply to AEMO to register under this Part in that capacity.
- (2) A person may apply to AEMO to register under this Part in the capacity of BB reporting agent.
- (3) AEMO must register the GSH Operator in that capacity under this Part.

## **155 Effect of group registration**

- (1) Where a responsible reporting entity is registered as the BB reporting entity for a BB facility, group of BB field interests or facility development project, AEMO may fulfil any of AEMO's obligations under this Part or the BB Procedures in relation to (as applicable) the relevant BB facility, relevant group of BB field interests or relevant facility development project by performing those obligations in relation to the relevant BB reporting entity.
- (2) For the purposes of this Part and the BB Procedures, the members of a facility operator group, field owner group or facility developer group (as applicable) are taken to have authorised the responsible reporting entity to perform the obligations and exercise the rights of a BB reporting entity under this Part and the BB Procedures in relation to (as applicable) the relevant BB facility, relevant group of BB field interests or relevant facility development project.
- (3) Each member of a facility operator group, field owner group or facility developer group must procure, and where necessary must facilitate, the compliance of the relevant responsible reporting entity with its obligations under this Part in relation to (as applicable) the relevant BB facility, relevant group of BB field interests or relevant facility development project.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

## **156 Change to the identity of a BB reporting entity**

- (1) If the identity of the person required to be registered under this Part as the BB reporting entity for (as applicable) a BB facility, BB field interest, facility development project or BB allocation point changes, the person no longer required to be registered in that capacity must notify AEMO of the change.

**Note:**

The registered BB reporting entity remains responsible for the provision of information under this Part until the new registration takes effect

- (2) A notice under subrule (1) must be given no later than 5 business days after the change takes effect.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

- (3) Where AEMO is given a notice under subrule (1), AEMO must revoke the registration as BB reporting entity for (as applicable) the BB facility, BB field interest, facility development project or BB allocation point if AEMO is satisfied that the person is no longer required to be registered in that capacity.

**Note:**

The incoming facility operator, field owner, facility developer or BB allocation agent must apply to be registered under this Part as the new BB reporting entity in accordance with this Subdivision.

## **Subdivision 3.2 Registration process**

### **157 Applications for registration**

- (1) The BB Procedures must provide for registration for the purposes of this Part and may include provision for:
- (a) establishing and maintaining standing registration of persons who are or intend to be BB reporting entities;
  - (b) establishing and maintaining standing registration of BB facilities, BB field interests, facility development projects or BB allocation points;
  - (c) registration as a BB reporting entity;
  - (d) changes to standing registrations or BB reporting entity registrations;
  - (e) a simplified registration process for BB reporting entities with one-off or infrequent reporting obligations; and
  - (f) information to be provided for registration.
- (2) An application for registration under this Part must:
- (a) be in the form specified in the BB Procedures and
  - (b) contain the information specified in the BB Procedures.
- (3) AEMO may notify an applicant for registration within 5 business days if AEMO considers the application is incomplete or requires clarification.
- (4) If a notice is given under subrule (3) the applicant must, within 5 business days of the notice, provide to AEMO the information required to complete or clarify the application.

- (5) Where an application for registration is made, AEMO must give effect to the relevant registration as soon as practicable in accordance with this Part and the BB Procedures if AEMO is reasonably satisfied that the applicable criteria in this Part or the BB Procedures for registration are satisfied, notwithstanding any defect in the application.
- (6) If AEMO gives effect to a registration under subrule (5) where there is a defect in the application, AEMO must specify conditions of registration for the purpose of ensuring that the applicant remedies any defect in the application within a reasonable time.
- (7) AEMO may specify as a condition of registration the time within which an applicant must provide information that this Part requires to be provided on registration.
- (8) A BB reporting entity must comply with conditions imposed by AEMO under subrule (6) or (7).

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

## **158 Applications relating to groups**

- (1) An application for registration made by a responsible reporting entity in that capacity must contain the information about the facility operator group, field owner group or facility developer group specified by AEMO on the Bulletin Board.
- (2) A responsible reporting entity must update the information about the relevant group provided to AEMO on registration if there is any change.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

## **159 Early applications for registration**

- (1) The BB Procedures may provide for applications to register under this Part by an intending facility operator, field owner, facility developer or BB allocation agent.
- (2) A registration referred to in subrule (1) will take effect from the time determined by AEMO in accordance with the BB Procedures.

## **160 Revocation of registration**

- (1) A BB participant may apply to AEMO to revoke its registration under this Part if the BB participant is no longer required to be registered under this Part in any capacity.
- (2) An application under subrule (1) must:

  - (a) be in the form specified by AEMO on the Bulletin Board; and

- (b) contain the information specified by AEMO on the Bulletin Board.
- (3) AEMO must revoke a registration the subject of an application under subrule (1) if AEMO is satisfied based on the information in the application that the BB participant is no longer required to be registered under this Part in any capacity.
- (4) The BB Procedures may provide for AEMO to revoke registration of a BB participant by giving not less than 20 business days' notice in circumstances where the BB participant is not required to be registered under this Part in any capacity or AEMO is otherwise satisfied in all the circumstances that the registration should be revoked.

## **161 Provision of contact details**

- (1) Each BB participant and each user and non-scheme pipeline user that is a registered BB shipper must provide AEMO with *contact details* for posting on the Bulletin Board.
- (2) Any other person may provide AEMO with *contact details* for posting on the Bulletin Board.
- (3) *Contact details* provided pursuant to subrule (1) must be provided to AEMO on registration (in the case of a BB participant) and within 20 business days of becoming a BB shipper (in the case of a user or non-scheme pipeline user).
- (4) A person who has provided *contact details* pursuant to subrule (1) or (2) must tell AEMO as soon as reasonably practicable of any changes to those details.
- (5) The BB Procedures may specify the form and content of the *contact details* required or provided pursuant to this rule.

## **Subdivision 3.3 Reporting through an agent**

### **162 Appointment of an agent**

- (1) Each of the following may, with the consent of the person appointed, appoint a person registered under this Part, including a BB reporting agent, to provide the specified information to AEMO on its behalf:
  - (a) a BB reporting entity in respect of the information it is required to provide about a BB large user facility under rule 168, 169 or 189; and
  - (b) a BB reporting entity in respect of the information it is required to provide about a BB capacity transaction under rule 190C, a short term LNG export transaction under rule 190CA or a BB short term gas transaction under rule 190CB.

- (2) A person who makes an appointment under subrule (1) remains responsible under this Part for ensuring that the person's obligations under Division 4 and under rule 168, 169, 189, 190C, 190CA or 190CB (as applicable) in relation to the information to be provided to AEMO are complied with.
- (3) An appointment under subrule (1) may be revoked by the person who made the appointment or the person appointed.
- (4) The BB Procedures may provide for notice to be given to AEMO of an appointment under subrule (1), the consent of the person appointed or a revocation under subrule (3) and the information to be included with the notice.
- (5) AEMO is not required to verify the validity of an appointment or consent under subrule (1) or a revocation under subrule (3).

## **163 [Not used.]**

### **Subdivision 3.1 Registration of facility operators and BB facilities**

#### **150 Registration obligations of facility operators**

- (1) A facility operator who is not already registered under this Part as a facility operator must apply to AEMO to register under this Part in that capacity.

**Note:**

This subrule is classified as a civil penalty provision under the National Gas (South Australian) Regulations. See clause 6 and Schedule 3 of the National Gas (South Australian) Regulations.

- (2) An application under subrule (1) must be made no later than:
  - (a) in the case of a person who is a facility operator on the Part 18 replacement date: 20 business days after the Part 18 replacement date; and
  - (b) otherwise, 20 business days after the person first becomes a facility operator.

**Note:**

This subrule is classified as a civil penalty provision under the National Gas (South Australian) Regulations. See clause 6 and Schedule 3 of the National Gas (South Australian) Regulations.

#### **151 Obligation to register BB facilities**

- (1) The facility operator for a BB facility must apply to AEMO to:
  - (a) register the BB facility under this Part, if the BB facility is not already registered under this Part; and
  - (b) be registered under this Part as the BB reporting entity for the BB facility.

**Note:**

~~This subrule is classified as a civil penalty provision under the National Gas (South Australian) Regulations. See clause 6 and Schedule 3 of the National Gas (South Australian) Regulations.~~

~~(2) An application under subrule (1) must be made no later than:~~

- ~~(a) in the case of a BB facility commissioned on or before the Part 18 replacement date: 20 business days after the Part 18 replacement date; and~~
- ~~(b) otherwise, 20 business days before the date the BB facility is commissioned.~~

**Note:**

~~This subrule is classified as a civil penalty provision under the National Gas (South Australian) Regulations. See clause 6 and Schedule 3 of the National Gas (South Australian) Regulations.~~

## **152 Registration by members of facility operator groups**

- ~~(1) If there is more than one facility operator for a BB facility, each facility operator for the BB facility is taken to be a member of a **facility operator group** for that BB facility (the **relevant BB facility**).~~
- ~~(2) The members of a facility operator group may appoint one of the members in writing to be the **responsible facility operator** for the relevant BB facility for the purposes of this Part.~~
- ~~(3) A responsible facility operator may apply on behalf of another member of its facility operator group to register that other member under this Part in the capacity of facility operator if the responsible facility operator has the written permission of that member of the facility operator group to do so.~~

**Note:**

~~All members of a facility operator group must apply to register under this Part in the capacity of facility operator. This subrule (3) allows the responsible facility operator to submit an application for a facility operator who is not otherwise registered.~~

- ~~(4) The responsible facility operator of a facility operator group may apply on behalf of itself and all other members of the facility operator group to:~~
  - ~~(a) register the relevant BB facility under this Part; and~~
  - ~~(b) register the responsible facility operator under this Part as the BB reporting entity for the relevant BB facility.~~
- ~~(5) An application for registration under this Part made by a facility operator in the capacity of responsible facility operator of a facility operator group must contain the information about the facility operator group specified in the BB Procedures.~~
- ~~(6) If a responsible facility operator has registered as the BB reporting entity for the relevant BB facility, so long as that registration remains in effect:~~

- ~~(a) — each other member of the facility operator group is exempt from the requirement to register the relevant BB facility and to register as the BB reporting entity for the relevant BB facility;~~
- ~~(b) — the responsible facility operator is the BB reporting entity for the relevant BB facility;~~
- ~~(c) — the responsible facility operator must update the information about the facility operator group provided under subrule (5) if there is any change;~~
- ~~(d) — AEMO may fulfil any of AEMO's obligations under this Part to the members of the facility operator group by performing those obligations in relation to the responsible facility operator; and~~
- ~~(e) — each member of the facility operator group must procure and where necessary must facilitate, the compliance of the responsible facility operator with its obligations under this Part.~~

**Note:**

~~This subrule is classified as a civil penalty provision under the National Gas (South Australian) Regulations. See clause 6 and Schedule 3 of the National Gas (South Australian) Regulations.~~

### **Subdivision 3.2 — [Intentionally left blank]**

**153 — [Intentionally left blank.]**

**154 — [Intentionally left blank.]**

**155 — [Intentionally left blank.]**

### **Subdivision 3.3 — Change of operator and early registration**

#### **156 — Change of operator**

- ~~(1) — If the identity of the facility operator for a BB facility registered under this Part changes:
  - ~~(a) — the outgoing facility operator must notify AEMO of the change; and~~
  - ~~(b) — the new facility operator must apply to register under this Part as the BB reporting entity for the BB facility.~~~~

**Note:**

~~This subrule is classified as a civil penalty provision under the National Gas (South Australian) Regulations. See clause 6 and Schedule 3 of the National Gas (South Australian) Regulations.~~

- ~~(2) — [Intentionally left blank.]~~

- ~~(3) If the identity of the responsible facility operator for a BB facility changes:~~
- ~~(a) the outgoing responsible facility operator must notify AEMO of the change; and~~
  - ~~(b) the new responsible facility operator must apply to register under this Part as the new BB reporting entity for the BB facility.~~

**Note:**

~~This subrule is classified as a civil penalty provision under the National Gas (South Australian) Regulations. See clause 6 and Schedule 3 of the National Gas (South Australian) Regulations.~~

- ~~(4) A notice under subrule (1) or (3) must be given no later than 5 business days after the change takes effect.~~

**Note:**

~~This subrule is classified as a civil penalty provision under the National Gas (South Australian) Regulations. See clause 6 and Schedule 3 of the National Gas (South Australian) Regulations.~~

- ~~(5) An application for registration referred to in subrule (1) or (3) must be made no later than 5 business days after the change takes effect.~~

**Note:**

~~The registered BB reporting entity remains responsible for the provision of information under this Part until the new registration takes effect.~~

**Note:**

~~This subrule is classified as a civil penalty provision under the National Gas (South Australian) Regulations. See clause 6 and Schedule 3 of the National Gas (South Australian) Regulations.~~

- ~~(6) Subrule (1) does not apply to a change in the identity of a facility operator in its capacity as a member of a facility operator group for a BB facility registered under this Part.~~

## **157 Change to facility operator group**

**Note:**

~~This rule is classified as a civil penalty provision under the National Gas (South Australian) Regulations. See clause 6 and Schedule 3 of the National Gas (South Australian) Regulations.~~

- ~~(1) If there is a change to the identity of the members of the facility operator group for a BB facility registered under this Part, the responsible facility operator must notify AEMO of the change.~~
- ~~(2) [Intentionally left blank.]~~
- ~~(3) A notice under subrule (1) must be given no later than 5 business days after the change takes effect.~~



## **158 — Early registration application**

- (1) — An application to register under this Part may be made:
- (a) — by a person who intends to become a facility operator;
  - (b) — in respect of a proposed BB facility; or
  - (c) — by a person intending to register as the BB reporting entity for a BB facility.
- (2) — If an application provided for in subrule (1) is made in accordance with the requirements of this Part, the registration the subject of the application will take effect from the time determined by AEMO in accordance with the BB Procedures.

## **Subdivision 3.3A — Registration of BB allocation agents and points**

### **158A — Obligation to register as BB allocation agent**

- (1) — A BB allocation agent who is not already registered under this Part as a BB allocation agent must apply to AEMO to register under this Part in that capacity.

**Note:**

This subrule is classified as a civil penalty provision under the National Gas (South Australian) Regulations. See clause 6 and Schedule 3 of the National Gas (South Australian) Regulations.

- (2) — An application under subrule (1) must be made no later than 20 business days after the person becomes a BB allocation agent.

**Note:**

This subrule is classified as a civil penalty provision under the National Gas (South Australian) Regulations. See clause 6 and Schedule 3 of the National Gas (South Australian) Regulations.

### **158B — Obligation to register BB allocation point**

- (1) — The BB allocation agent for a BB allocation point must apply to AEMO to:
- (a) — register the BB allocation point under this Part, if the BB allocation point is not already registered under this Part; and
  - (b) — be registered under this Part as the BB reporting entity for the BB allocation point.

**Note:**

This subrule is classified as a civil penalty provision under the National Gas (South Australian) Regulations. See clause 6 and Schedule 3 of the National Gas (South Australian) Regulations.

- (2) — An application under subrule (1) must be made no later than 20 business days after the relevant point becomes a BB allocation point.

**Note:**

~~This subrule is classified as a civil penalty provision under the National Gas (South Australian) Regulations. See clause 6 and Schedule 3 of the National Gas (South Australian) Regulations.~~

- ~~(3) If the identity of the BB allocation agent for a BB allocation point changes:
  - ~~(a) the outgoing BB allocation agent must notify AEMO of the change; and~~
  - ~~(b) the new BB allocation agent must apply to register under this Part as the BB reporting entity for the BB allocation point.~~~~
- ~~(4) A notice under subrule (3) must be given no later than 5 business days after the change takes effect.~~
- ~~(5) An application for registration referred to in subrule (3) must be made no later than 5 business days after the change takes effect.~~

**Note:**

~~The registered BB reporting entity remains responsible for the provision of information under this Part until the new registration takes effect.~~

**Note:**

~~This subrule is classified as a civil penalty provision under the National Gas (South Australian) Regulations. See clause 6 and Schedule 3 of the National Gas (South Australian) Regulations.~~

## **Subdivision 3.3B Capacity trade registrations and appointments**

### **158C Registrations for capacity transaction reporting**

- ~~(1) A person may apply to AEMO to register as a BB transportation facility user under this Part.~~
- ~~(2) A person may apply to AEMO to register as a capacity transaction reporting agent under this Part.~~
- ~~(3) AEMO must register the GSH Operator in that capacity under this Part.~~

## **Subdivision 3.4 Application process**

### **159 Applications for registration**

- ~~(1) An application for registration under this Part must:
  - ~~(a) be in the form specified by AEMO on the Bulletin Board; and~~
  - ~~(b) contain the information specified by AEMO on the Bulletin Board.~~~~

- ~~(2) AEMO may notify an applicant for registration within 5 business days if AEMO considers the application is incomplete or requires clarification.~~
- ~~(3) If a notice is given under subrule (2) the applicant must, within 5 business days of the notice, provide to AEMO the information required to complete or clarify the application.~~

## **160 AEMO to register**

- ~~(1) AEMO must register an applicant under this Part as facility operator if the applicant has applied for registration in that capacity in accordance with rule 159.~~
- ~~(2) AEMO must register a BB facility the subject of an application under this Part if an application for registration of the BB facility has been made in accordance with rule 159.~~
- ~~(3) AEMO must register an applicant under this Part as the BB reporting entity for a BB facility if the applicant has applied for registration in that capacity in accordance with rule 159.~~
- ~~(4) Where an application for registration is made by an intending operator or intending BB reporting entity or in respect of a proposed BB facility pursuant to rule 158, AEMO may defer the time at which registration takes effect to the time determined by AEMO in accordance with the BB Procedures.~~
- ~~(5) AEMO must register an applicant as a BB allocation agent, BB transportation facility user or capacity transaction reporting agent under this Part if the applicant has applied for registration in that capacity in accordance with rule 159.~~
- ~~(6) AEMO must register a BB allocation point the subject of an application under this Part if an application for registration of the BB allocation point has been made in accordance with rule 159.~~

## **161 Revocation of registration**

- ~~(1) A BB participant must apply to AEMO to revoke its registration under Subdivision 3.1 or Subdivision 3.3A if the BB participant is no longer required by Subdivision 3.1 or Subdivision 3.3A to be registered.~~
- ~~(2) A BB participant must apply to AEMO to revoke the registration under this Part of its BB facility or its BB allocation point if the BB facility or BB allocation point is no longer required by this Part to be registered.~~
- ~~(3) An application under subrule (1) or (2) must:~~
  - ~~(a) be in the form specified by AEMO on the Bulletin Board; and~~
  - ~~(b) contain the information specified by AEMO on the Bulletin Board.~~

- ~~(4) AEMO must revoke the registration the subject of an application under subrule (1) or (2) if AEMO is satisfied based on the information in the application that the relevant registration is no longer required by this Part.~~
- ~~(5) AEMO must revoke the registration of a facility operator as the BB reporting entity for a BB facility when:
  - ~~(a) AEMO has been given a notice under rule 156; and~~
  - ~~(b) an application has been made to register a new BB reporting entity for the BB facility and the registration has taken effect.~~~~
- ~~(6) AEMO must revoke the registration of a BB allocation agent as the BB allocation agent for a BB allocation point when:
  - ~~(a) AEMO has been given a notice under subrule 158B; and~~
  - ~~(b) an application has been made to register a new BB allocation agent as the BB reporting entity for the BB allocation point and the registration has taken effect.~~~~
- ~~(7) AEMO may revoke the registration of any other person under this Part on application by that person in the form and containing the information specified by AEMO on the Bulletin Board.~~

### ~~Subdivision 3.5 BB shipper registration and contact details~~

#### ~~162 BB shipper registration~~

- ~~(1) A BB shipper may apply to AEMO to register in that capacity under this Part.~~
- ~~(2) A registered BB shipper may apply to AEMO to have its registration under this Part revoked.~~
- ~~(3) An application under subrule (1) or subrule (2) must be in the form and contain the information specified by AEMO on the Bulletin Board.~~
- ~~(4) AEMO must register a BB shipper or revoke the registration of a registered BB shipper under this Subdivision if the applicant has applied for that registration or revocation in accordance with subrule (3).~~

#### ~~163 Provision of contact details~~

- ~~(1) Each BB participant and each user and non-scheme pipeline user that is a BB shipper must provide AEMO with *contact details* for posting on the Bulletin Board.~~
- ~~(2) Any other person may provide AEMO with *contact details* for posting on the Bulletin Board.~~

- ~~(3) Contact details provided pursuant to subrule (1) must be provided to AEMO on registration (in the case of a BB participant) and within 20 business days of becoming a BB shipper (in the case of a user or non-scheme pipeline user).~~
- ~~(4) A person who has provided contact details pursuant to subrule (1) or (2) must tell AEMO as soon as reasonably practicable of any changes to those details.~~
- ~~(5) The BB Procedures may specify the form and content of the contact details required or provided pursuant to this rule.~~

## Subdivision 3.46 Exemptions from Division 5

### 164 Availability and effect of exemptions

- (1) AEMO may grant an exemption from the obligation to provide information under Division 5 in relation to a BB facility where the BB facility is a lateral gathering pipeline and where AEMO is satisfied in its discretion that the information relating to that BB facility is not material having regard to the purpose of the Bulletin Board in rule 145.
- (2) AEMO may grant an exemption from the obligation to provide information under one or more provisions in Division 5 in relation to a BB facility where AEMO is satisfied in its discretion that the information relating to that BB facility will be provided to AEMO by another person under this Part.
- (3) The BB reporting entity for a BB facility the subject of an exemption under subrule (1) is not required to report under Division 5 in relation to the BB facility for so long as the exemption continues.
- (4) The BB reporting entity for a BB facility the subject of an exemption under subrule (2) is not required to report in relation to the BB facility under the provisions in Division 5 to which the exemption applies for so long as the exemption continues.
- (5) The BB reporting entity for a BB facility may apply to AEMO for an exemption under subrule (1) or (2) for the BB facility. The application must be in the form and contain the information specified in the BB Procedures and the applicant must provide to AEMO any further information reasonably requested by AEMO to determine the application.
- (6) AEMO must use reasonable endeavours to determine an application under subrule (5) within 20 business days of all the information requested by AEMO being provided to it.
- (7) An exemption under subrule (1) or (2) must be in writing.
- (8) AEMO may revoke an exemption under subrule (1) or (2) at any time by giving not less than 20 days' notice to the BB reporting entity for the BB facility if AEMO is satisfied in all the circumstances that the exemption should be revoked.

## Division 4 Information standard and related obligations

### 165 Standard for information or data given under this Part or the BB Procedures

- (1) A BB reporting entity required by a provision of this Part or the BB Procedures to give information or data to AEMO must:
- (a) prepare and submit that information or data; and
  - (b) if applicable, maintain any equipment from which that information or data is derived,

in accordance with the BB information standard.

**Note:**

Section 223 of the *NGL* requires a person of the kind mentioned in the section who has possession or control of information in relation to [the natural gas industry](#) ~~natural gas services~~ to give AEMO the information if the person is required to do so under the Rules. Section 223 is classified as a civil penalty provision.

**Note:**

This subrule is classified as a civil penalty provision under the National Gas (South Australian) Regulations. See clause 6 and Schedule 3 of the National Gas (South Australian) Regulations.

- (2) The **BB information standard** for information or data relating to a:
- (a) BB facility means the practices, methods and acts that would reasonably be expected from an experienced and competent person engaged in the ownership, operation or control of a BB facility in Australia of that type;
  - ~~(b) [intentionally left blank]; and~~
  - [\(b\) BB field interest means the practices, methods and acts that would reasonably be expected from an experienced and competent person qualified to prepare, or supervise the preparation of, petroleum reserves and contingent resources evaluations or audits;](#)
  - (c) BB allocation point means the practices, methods and acts that would reasonably be expected from an experienced and competent person engaged in the determination of allocations of receipts or deliveries of natural gas in Australia; [and](#)
  - [\(d\) facility development project means the practices, methods and acts that would reasonably be expected from an experienced and competent person engaged in the development of a natural gas industry facility in Australia of that type,](#)

in each case, acting with all due skill, diligence, prudence and foresight and in compliance with all applicable legislation (including these rules), authorisations and industry codes of practice.

- (3) Where this Part or the BB Procedures requires a BB reporting entity to update information or data provided to AEMO, the BB reporting entity must:
  - (a) do so each time facts or circumstances arise that require the information or data to be updated; and
  - (b) notify the updated information or data to AEMO as soon as practicable after the person becomes aware of the facts or circumstances that require the information or data to be updated and within any applicable timeframe specified in the BB Procedures.
- (4) A BB reporting entity required by a provision of this Part or the BB Procedures to update information or data provided to AEMO must:
  - (a) prepare and submit that updated information or data; and
  - (b) if applicable, maintain any equipment from which the updated information or data is derived,

in accordance with the BB information standard.

**Note:**

This subrule is classified as a civil penalty provision under the National Gas (South Australian) Regulations. See clause 6 and Schedule 3 of the National Gas (South Australian) Regulations.

- (5) AEMO is not required to verify the accuracy of information or data provided to AEMO under this Part.

## 166 Information to be provided in accordance with the BB Procedures

- (1) Where this Part requires a BB reporting entity to provide information to AEMO, the information must be provided by the BB reporting entity by the time specified in the BB Procedures.

**Note:**

Section 223 of the *NGL* requires ~~the information~~ [for the Bulletin Board referred to in the section](#) to be given to AEMO in accordance with the Rules. Section 223 is classified as a civil penalty provision.

- (2) Where this Part requires a BB reporting entity to provide information to AEMO, the information must be provided by the BB reporting entity in the manner and form specified in, and otherwise in accordance with, the BB Procedures.

**Note:**

Section 223 of the *NGL* requires ~~the information~~ [for the Bulletin Board referred to in the section](#) to be given to AEMO in accordance with the Rules. Section 223 is classified as a civil penalty provision.

- (3) The BB Procedures may require information about a gas day referred to in Subdivision 5.4 or Subdivision 5.5 of Division 5 to be provided in advance of that gas day.
- (4) A BB participant that provides comments in the free text facility on the Bulletin Board must comply with any restrictions specified in the BB Procedures relating to the use of the free text facility.

## **167 Use of default values**

- (1) Where provided for in this Part, the BB Procedures may provide for:
  - (a) a BB reporting entity to be exempt from the obligation to provide an item of information under this Part in respect of a BB facility in specified circumstances; and
  - (b) the default value that will be used in place of the relevant item of information.
- (2) The obligations under this Part to update information apply to default values determined under the BB Procedures as if the BB reporting entity had provided the information to AEMO.

## **Division 5 Information to be provided by BB reporting entities**

### **Subdivision 5.1 Nameplate ratings and detailed facility information**

## **168 Nameplate rating information**

- (1) A BB reporting entity must provide to AEMO:
  - (a) the nameplate rating of each of its BB facilities; and
  - (b) information about any planned permanent capacity reduction ~~or expansion~~ due to modification of the BB facility, the nameplate rating that is expected to result and the time the modification is expected to take effect.
- (2) In addition to the information under subrule (1), a BB reporting entity for a BB pipeline must provide to AEMO:
  - (a) the nameplate rating for each gate station owned, controlled or operated by the BB reporting entity and connected to the BB pipeline;
  - (b) for each gate station connected to the BB pipeline which is not owned, controlled or operated by the BB reporting entity:
    - (i) the name of the person who owns, controls or operates the gate station; and



- (ii) the nameplate rating of the gate station if that nameplate rating has been provided to a facility operator for the BB pipeline by the person who owns, controls or operates the gate station; and
  - (c) information about any planned permanent capacity reduction or expansion due to modification of each such gate station, the nameplate rating that is expected to result and the time the modification is expected to take effect.
- (2A) In addition to the information under subrules (1) and (2), a BB reporting entity for a BB transmission pipeline must provide to AEMO the nameplate rating for each receipt point and delivery point on the BB transmission pipeline.
- (2B) In addition to the information under subrule (1), a BB reporting entity for a BB compression facility must provide to AEMO the nameplate rating for each compression receipt point and compression delivery point for the BB compression facility.
- (3) The BB reporting entity must provide the information specified in subrule (1) and (where applicable) subrules (2), (2A) or (2B) to AEMO:
  - (a) on registration of the BB facility; and
  - (b) annually, by the date specified in the BB Procedures.
- (4) A BB reporting entity must update the information provided under this rule~~subrule (1)~~ for its BB facility (other than a BB large user facility) if:
  - (a) -in the case of a nameplate rating, there is a material change; or
  - (b) otherwise, if the information is no longer accurate.
- ~~(5) A BB reporting entity for a BB pipeline must update the information provided under subrule (2)(a) or (2)(b) for the BB pipeline if that information is no longer accurate.~~

## 169 Detailed facility information for all BB facilities

- (1) A BB reporting entity must provide to AEMO the detailed facility information for each of its BB facilities.
- (2) The BB reporting entity must provide the detailed facility information specified in subrule (1) to AEMO on registration.
- (3) A BB reporting entity must update the detailed facility information provided under subrule (1) for its BB facility if the information is no longer accurate.
- (4) In this rule the term **detailed facility information**:
  - (a) when used in the context of a BB transmission pipeline, means:

- (i) all *receipt or delivery points* on that pipeline and any production facilities, gas storage facilities, ~~or~~ transmission pipelines, [compression service facilities](#), [BB large user facilities](#) or [LNG processing facilities](#) to which those *receipt or delivery points* connect; and
  - (ii) all gate stations on that pipeline;
- (b) when used in the context of:
  - (i) a production facility; ~~or~~
  - (ii) a gas storage facility; ~~or~~
  - [\(iii\) a compression service facility;](#)
  - [\(iv\) a BB large user facility; or](#)
  - [\(v\) an LNG processing facility.](#)

means each pipeline to which the BB facility is connected and the *receipt or delivery points* at which the BB facility is connected.

## 170 [\[Deleted.\]Gas day start times for all BB facilities](#)

- ~~(1) A BB reporting entity must provide to AEMO the time at which the gas day starts for each of its BB facilities (e.g. 6am EST).~~
- ~~(2) If the start time for the gas day for a BB facility provided to AEMO under subrule (1) changes, the BB reporting entity must notify AEMO of the updated information as soon as practicable.~~

## 170A Allocation methodology and agreement

- (1) A BB reporting entity must provide to AEMO the following information for each of its BB allocation points in accordance with the BB Procedures:
  - (a) a description of the allocation methodology used at the BB allocation point;
  - (b) information about any charge to become a party to the agreement (whether or not the agreement is in writing) under which allocations at the BB allocation point are determined;
  - (c) a description of the process for joining and leaving the agreement referred to in paragraph (b); and
  - (d) the contact details for the person to whom an application to join the agreement referred to in paragraph (b) must be given.
- (2) If the information for a BB allocation point provided to AEMO under subrule (1) changes, the BB reporting entity for the BB allocation point must notify AEMO of the updated information as soon as practicable.

## Subdivision 5.2 ~~[Intentionally left blank]~~ Reserves and resources

### 171 ~~[Intentionally left blank.]~~

#### 171 Classification system and standards

(1) In this subdivision:

- (a) references to 2C resources refers to estimates of contingent resources of processable gas classified as 2C as that term is used in SPE-PRMS; and
- (b) references to 1P reserves, 2P reserves or 3P reserves refers to estimates of reserves of processable gas classified as 1P, 2P or 3P as those terms are used in SPE-PRMS.

(2) Where this subdivision requires a thing to be classified, it must be classified in accordance with:

- (a) SPE-PRMS, in the most specific resource class in which petroleum resources can be classified under SPE-PRMS; or
- (b) where SPE-PRMS does not provide for its classification, the BB Procedures.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

(3) A BB reporting entity must report reserves and resources estimates to AEMO under this subdivision:

- (a) based on its BB field interest in sales quantities of processable gas from the field;
- (b) on a sales quantity basis in accordance with SPE-PRMS; and
- (c) for each of its BB field interests separately (and not in aggregate across all its BB field interests).

(4) Reserves and resources estimates provided to AEMO under this subdivision must be prepared using a forecast case in accordance with SPE-PRMS.

(5) Reserves and resources estimates provided to AEMO under this subdivision must be prepared by, or under the supervision of a qualified gas industry professional.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

(6) In preparing reserves and resources estimates, the gas price assumptions must be derived as follows:

- (a) for contracted reserves (including under a contract with a closely related entity), taking into account:
  - (i) contract prices and price escalation mechanisms over the contract term; and
  - (ii) contract prices and price escalation mechanisms over any extension of the contract term, if there is a reasonable expectation (as defined in SPE-PRMS) that the contract will be extended; and
- (b) for uncontracted reserves, using prices the BB reporting entity forecasts it will receive for the gas which must be verified (in a verification statement to be provided to the AER under subrule 171C(2)) by an independent qualified gas industry professional as falling within the range of gas price forecasts:
  - (i) used or adopted by qualified gas industry professionals for the purpose of preparing such estimates; or
  - (ii) published by reputable independent Australian sources of gas price forecast information for Australia.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

- (7) The **reserves reporting year** for a BB field interest means, subject to subrule (8), each 12 month period ending on the date nominated by the BB reporting entity on registration of the BB field interest or if no date is nominated, ending on 30 June.
- (8) AEMO and the BB reporting entity for a BB field interest may agree to amend the date applicable under subrule (7) in accordance with the BB Procedures and may agree to a reasonable adjustment to the 12 month reporting period when transitioning to the new date.

## **171A Information about BB field interests**

- (1) A BB reporting entity must provide to AEMO the following information for each of its BB field interests:
  - (a) the location of the BB field and information to identify the petroleum tenements the subject of the BB field interest;
  - (b) the geological basin in which the field is located, using basin names specified in the BB Procedures;
  - (c) the processing facility used to process gas from the field;
  - (d) its BB field interest in the petroleum tenements (as a percentage);
  - (e) where the BB reporting entity is reporting as the responsible field owner for a field owner group, the BB field interest (as a percentage) of each member of the field owner group;

- (f) classification of the resources in the field as conventional or unconventional, and if unconventional, any further sub-classification provided for in the BB Procedures; and
    - (g) the nature of the gas in the field using classifications in the BB Procedures (such as dry gas, gas condensate or gas found in conjunction with oil).
  - (2) The BB reporting entity must provide the information referred to in subrule (1) to AEMO:
    - (a) on registration of the BB field interest; and
    - (b) annually thereafter not later than 40 business days after the end of the reserves reporting year for the BB field interest.
  - (3) The BB reporting entity must update the information provided under subrule (1) if the information is no longer accurate.

## **171B Information relating to reserves and resources**

- (1) A BB reporting entity must provide to AEMO the following information for each of its BB field interests for each reserves reporting year:
  - (a) an estimate of the BB field interest's 1P reserves, 2P reserves and 3P reserves at the end of the reserves reporting year, broken down into developed and undeveloped reserves;
  - (b) an estimate of the BB field interest's 2C resources at the end of the reserves reporting year;
  - (c) except where the BB reporting entity is reporting under paragraph (a) or (b) for the BB field interest for the first time, an estimate of the total movement in the BB field interest's 2P reserves since the end of prior reporting year, broken down using the following categories:
    - (i) the production of gas;
    - (ii) extension of a field's proved area;
    - (iii) a percentage change in the BB field interest;
    - (iv) upward revision of 2P reserves arising from the reclassification of 3P reserves or resources to 2P reserves;
    - (v) downward revision of 2P reserves arising from the reclassification of 2P reserves to 3P reserves or resources; and
    - (vi) other revisions.

- (2) A BB reporting entity must provide to AEMO the following information for each of its BB field interests for which the sum of 2P reserves and 2C resources in the BB field at the end of the reserves reporting year is greater than 50 PJ:

  - (a) the project maturity sub-class for the 2P reserves and 2C resources classified in accordance with SPE-PRMS;
  - (b) the likely timing for the production of the 2P reserves or 2C resources; and
  - (c) a list of any barriers to commercial recovery of the 2C resources.
- (3) A BB reporting entity must provide to AEMO for each of its BB field interests its estimates of the change in the 2P reserves estimate reported under subrule (1)(a) arising from:

  - (a) a 10% increase in the gas price assumptions used to prepare the estimate; and
  - (b) a 10% decrease in the gas price assumptions used to prepare the estimate.
- (4) A BB reporting entity must provide to AEMO a statement of the basis of preparation of the reserves and resources estimates provided under subrule (1) including:

  - (a) the resources assessment method used to prepare the reserves and resources estimates using categories in SPE-PRMS;
  - (b) the conversion factor used to convert quantities measured in trillions of cubic feet to PJ;
  - (c) the key economic assumptions in the forecast case used to prepare the reserves and resources estimates and the source of the assumptions; and
  - (d) whether the qualified gas industry professional who prepared, or supervised the preparation of reserves and resources estimates is independent of the BB reporting entity
- (5) The BB reporting entity must provide the information referred to in subrules (1) to (4) to AEMO no later than 40 business days after the end of the reserves reporting year for the BB field interest.
- (6) A BB reporting entity must update the reserves and resources estimates provided by it to AEMO under subrule (1)(a) and (b) (including in its capacity as a responsible facility operator for a field owner group) if:

  - (a) the total amount of those reserves and resources estimates across all its BB field interests is no longer accurate by 50 PJ or more (up or down) as the result of:

    - (i) a percentage change in any of its BB field interests;
    - (ii) a re-evaluation of reserves or resources; or

- (iii) discoveries of new reserves or resources including through extension of a field's proved area; or
- (b) a revised estimate of 1P reserves, 2P reserves, 3P reserves or 2C resources is published by the BB reporting entity or provided by the BB reporting entity to a state, federal or territory government department or government agency or a securities exchange (including the Australian Securities Exchange).

## **171C     AER monitoring of reserves and resources reporting**

- (1) The AER may require a BB reporting entity to:
  - (a) retain, at the cost of the BB reporting entity, an independent qualified gas industry professional to undertake an audit of the information provided to AEMO under this subdivision; and
  - (b) publish the outcome of the audit.
- (2) When providing a reserves and resources estimate to AEMO (including any update), a BB reporting entity must at the same time provide to the AER:
  - (a) the gas price assumptions used in preparing the estimate and a description of how the assumptions were derived; and
  - (b) the verification statement required under subrule 171(6)(b) in relation to uncontracted reserves.
- (3) Information given to the AER under subrule (2) is taken to be information given to the AER in confidence.

## **Subdivision 5.3     Capacity bookings~~Pipeline and storage capacity bookings~~**

### **172     Information about BB shippers with primary ~~pipeline~~ capacity**

- (1) A BB reporting entity must, for each of its:
  - (a) BB pipelines;
  - (b) BB compression facilities; and
  - (c) BB storage facilities,provide to AEMO a list of BB shippers who have contracted primary ~~pipeline~~ capacity on the BB facility~~BB pipeline~~.
- (2) A BB reporting entity must update the information provided under subrule (1) for its BB ~~pipeline facility~~ if the information is no longer accurate.

- (3) Subrule (1) does not apply to a BB reporting entity in its capacity as the BB reporting entity for a declared transmission system.

**173**      [\[Not used.\]](#)~~[Intentionally left blank.]~~

**174**      **[Not used.]**

**175**      **36 month outlook of uncontracted primary [pipeline](#) capacity**

- (1) A BB reporting entity must provide to AEMO, for each of its:

- [\(a\) BB pipelines;](#)
- [\(b\) BB compression facilities;](#)
- [\(c\) BB storage facilities;](#)
- [\(d\) BB production facilities; and](#)
- [\(e\) LNG import facilities,](#)

an outlook of uncontracted primary [pipeline](#) capacity on the BB [pipeline facility](#) for each of the next 36 months.

- (2) The BB reporting entity must provide the information specified in subrule (1) to AEMO each month, by the date determined under the BB Procedures.
- (3) Subrule (1) does not apply to a BB reporting entity in its capacity as the BB reporting entity for a declared transmission system.

**176**      [\[Not used.\]](#)~~[Intentionally left blank.]~~

**177**      [\[Deleted.\]](#)~~12 month outlook of uncontracted storage capacity~~

- ~~(1) A BB reporting entity must provide to AEMO, for each of its BB storage facilities, an outlook of uncontracted storage capacity in the BB storage facility for each of the next 12 months.~~
- ~~(2) The BB reporting entity must provide the information referred to in subrule (1) to AEMO each month, by the date determined under the BB Procedures.~~

#### **Subdivision 5.4      Short term and medium term capacity outlooks**

**178**      **Short term capacity outlooks for BB facilities [excluding BB large user facilities](#)**

- (1) A BB reporting entity must provide to AEMO a short term capacity outlook for each of its BB facilities [other than BB large user facilities](#).



- (2) The BB reporting entity must provide the information specified in subrule (1) to AEMO each gas day [D-1 for the period D to D+6](#), except in circumstances where, in accordance with rule 167, the BB Procedures permit the BB reporting entity to rely on an exemption and the use of default values for a gas day.
- (3) A BB reporting entity must update the information it has provided under subrule (1) for a gas day if there is a material change and must do so as soon as practicable in accordance with rule 165(3).

## **179 Linepack/capacity adequacy indicator for all BB pipelines**

- (1) A BB reporting entity must provide to AEMO the LCA flag for each of its BB pipelines.
- (2) The BB reporting entity must provide the LCA flag [each gas day D-1 for gas days D to D+2](#)~~in respect of each gas day D for gas days D to D+2~~, except in circumstances where, in accordance with rule 167, the BB Procedures permit the BB reporting entity to rely on an exemption and the use of default values for a gas day.
- (3) A BB reporting entity must update the current LCA flag for a BB pipeline for a gas day if at any time the LCA flag for the gas day no longer reflects the actual or expected capability of the BB pipeline to meet the aggregated nominations for withdrawals from the BB pipeline on that gas day.

## **180 ~~[Intentionally left blank.]~~**

## **180 Linepack/capacity adequacy indicator for all BB compression facilities**

- (1) [A BB reporting entity must provide to AEMO the LCA flag for each of its BB compression facilities.](#)
- (2) [The BB reporting entity must provide the LCA flag each gas day D-1 for gas days D to D+2, except in circumstances where, in accordance with rule 167, the BB Procedures permit the BB reporting entity to rely on an exemption and the use of default values for a gas day.](#)
- (3) [A BB reporting entity must update the current LCA flag for a BB compression facility for a gas day if at any time the LCA flag for the gas day no longer reflects the actual or expected capability of the BB compression facility to meet the aggregated nominations for use of the BB compression facility on that gas day.](#)

## **181 Medium term capacity outlooks for BB facilities excluding BB large user facilities**

- (1) A BB reporting entity must provide to AEMO a medium term capacity outlook for each of its BB facilities [other than BB large user facilities](#).

- (2) The BB reporting entity must provide the information referred to in subrule (1) to AEMO on each day that the information is provided to BB shippers by a facility operator for the BB facility or at the times required under the BB Procedures, except in circumstances where, in accordance with rule 167, the BB Procedures permit the BB reporting entity to rely on an exemption and the use of default values for a gas day.
- (3) A medium term capacity outlook provided to AEMO in accordance with this rule must identify the BB facility to which the outlook relates and must contain the following information:
  - (a) the expected start and end dates of the matters expected to affect the daily capacity of the BB facility;
  - (b) a description of the matters expected to affect the daily capacity of the BB facility; and
  - (c) the expected daily capacity of the BB facility during the period it is affected by the matters referred to in paragraphs (a) and (b).

### **Subdivision 5.5**    **Nominated and forecast use of BB facilities excluding BB large user facilities and LNG export facilities~~storage and pipelines~~**

#### **182**        **Nominated and forecast use of BB storage facilities**

- (1) Subject to subrule (2), a BB reporting entity must, in respect of each of its BB storage facilities, provide to AEMO in respect of each gas day D:
  - (a) the aggregate quantity of natural gas ~~nominated by BB shippers~~ to be injected into the BB storage facility for the gas day as nominated by BB shippers or if nominations are not provided, as forecast by the BB reporting entity;
  - (b) the aggregate quantity of natural gas ~~nominated by BB shippers~~ to be withdrawn from the BB storage facility for the gas day as nominated by BB shippers or if nominations are not provided, as forecast by the BB reporting entity;
  - (c) the aggregate quantity of natural gas forecast by BB shippers to be injected into the BB storage facility for gas days D+1 to ~~gas day~~ D+6 which may be based on the BB reporting entity's forecast or on forecast nominations if BB shippers using the BB storage facility have provided forecast quantities under contract or applicable market rules; and
  - (d) the aggregate quantity of natural gas forecast by BB shippers to be withdrawn from the BB storage facility for gas days D+1 to ~~gas day~~ D+6 which may be based on the BB reporting entity's forecast or on forecast nominations if BB shippers using the BB storage facility have provided forecast quantities under contract or applicable market rules.

- (2) ~~[Deleted.] Subrule (1) does not apply to a BB storage facility which is used solely as part of a production facility.~~
- (3) A BB reporting entity must update the information it has provided to AEMO under subrule (1) if there is a material change and must do so as soon as practicable in accordance with rule 165(3).

## 183 Nominated and forecast delivery information for BB pipelines

- (1) A BB reporting entity must, in respect of each of its BB pipelines (other than a BB pipeline forming part of a declared transmission system), provide to AEMO in respect of each gas day D:
  - (a) the ~~quantities nominations~~ for injections into the BB pipeline for the gas day aggregated at each receipt point as nominated by BB shippers or if nominations are not provided, as forecast by the BB reporting entity;
  - (b) the ~~quantities nominations~~ for withdrawals from the BB pipeline for the gas day aggregated at each delivery point as nominated by BB shippers or if nominations are not provided, as forecast by the BB reporting entity;
  - (c) the forecast injections into the BB pipeline for gas days D+1 to ~~gas day~~ D+6 aggregated at each receipt point which may be based on the BB reporting entity's forecast or on forecast nominations from BB shippers if BB shippers on the BB pipeline have provided forecast receipt point nominations under contract or applicable market rules; and
  - (d) the forecast withdrawals from the BB pipeline for gas days D+1 to ~~gas day~~ D+6 aggregated at each delivery point which may be based on the BB reporting entity's forecast or on forecast nominations from BB shippers if BB shippers on the BB pipeline have provided forecast delivery point nominations under contract or applicable market rules.
- (2) A BB reporting entity for a BB pipeline forming part of a declared transmission system must provide to AEMO in respect of each gas day D, for each controllable system point on, and connected to, the declared transmission system:
  - (a) the aggregated scheduled injections for the gas day;
  - (b) the aggregated scheduled withdrawals for the gas day;
  - (c) the forecast aggregated scheduled injections for gas days D+1 and D+2; and
  - (d) the forecast aggregated scheduled withdrawals for gas days D+1 and D+2.
- (3) In subrule (2) and this subrule (3), a **controllable system point** is a system point at which injections or withdrawals (or both) of controllable quantities may be made and the following terms have the meaning given in Part 19: controllable quantity, scheduled injection, scheduled withdrawal, system point.

- (4) ~~[Deleted.] For the avoidance of doubt the information provided under subrule (1) is to be based only on information provided by BB shippers and does not represent the BB reporting entity's forecast.~~
- (5) For the purposes of this rule, the BB Procedures may specify the default directions which are to be assigned to natural gas flows for each BB pipeline and the manner in which reverse flows of natural gas are to be treated.
- (6) The obligation of a BB reporting entity under subrule (1) or (2) to provide information is taken to be satisfied for a gas day in circumstances where, in accordance with rule 167, the BB Procedures permit the BB reporting entity to rely on an exemption and the use of default values for that gas day.
- (7) A BB reporting entity must update the information it has provided to AEMO under subrule (1) or (2) if there is a material change and must do so as soon as practicable in accordance with rule 165(3).

#### **184** ~~[Intentionally left blank.]~~

#### **184** Nominated and forecast use of compression facilities

- (1) A BB reporting entity must, in respect of each of its BB compression facilities, provide to AEMO in respect of each gas day D:
  - (a) the aggregate quantity of natural gas to be compressed by the BB compression facility on the gas day as nominated by BB shippers or if nominations are not provided, as forecast by the BB reporting entity; and
  - (b) the aggregate forecast quantity of natural gas to be compressed by the BB compression facility on gas days D+1 to D+6, which may be based on the BB reporting entity's forecast or on forecast nominations from BB shippers if BB shippers have provided forecast nominations under contract or applicable market rules.
- (2) The obligation of a BB reporting entity under subrule (1) to provide information is taken to be satisfied for a gas day in circumstances where, in accordance with rule 167, the BB Procedures permit the BB reporting entity to rely on an exemption and the use of default values for that gas day.
- (3) A BB reporting entity must update the information it has provided to AEMO under subrule (1) if there is a material change and must do so as soon as practicable in accordance with rule 165(3).

#### **185** Nominated and forecast use of production facilities and LNG import facilities

- (1) A BB reporting entity must, in respect of each of its BB production facilities and LNG import facilities, provide to AEMO in respect of each gas day D:

- (a) the aggregate quantity of natural gas to be injected~~nominations for injections~~ into one or more BB pipelines-facilities from the BB production~~production~~ facility for the gas day as nominated by BB shippers or if nominations are not provided, as forecast by the BB reporting entity; and
- (b) the aggregate forecasts quantity of natural gas to be injected~~for nominations for injections~~ into one or more BB pipelines-facilities from the BB production~~production~~ facility for gas days D+1 to gas day D+6, which may be based on the BB reporting entity's forecast or on forecast nominations if BB shippers have provided forecast nominations under contract or applicable market rules.
- (2) ~~[Deleted.] For the avoidance of doubt the information provided under subrule (1) is only based on information provided by BB shippers and does not represent the BB reporting entity's forecast.~~
- (3) The obligation of a BB reporting entity under subrule (1) to provide information is taken to be satisfied for a gas day in circumstances where, in accordance with rule 167, the BB Procedures permit the BB reporting entity to rely on an exemption and the use of default values for that gas day.
- (4) A BB reporting entity must update the information it has provided to AEMO under subrule (1) if there is a material change and must do so as soon as practicable in accordance with rule 165(3).

## Subdivision 5.6 Information about actual use~~Actual production and flow data~~

### 186 Basis of calculation

- (1) The information to be provided to AEMO under this subdivision is to be determined by the BB reporting entity on the basis of operational metering data or as specified in the rule under which the information is required to be provided.
- (2) Where operational metering is not installed, the information to be provided to AEMO under this subdivision is to be determined by the BB reporting entity on a basis agreed by the BB reporting entity with AEMO.

**Note:**

The information provided to AEMO under this Subdivision is not intended to be of settlements quality.

### 187 Daily flow data for BB pipelines

- (1) ~~Each gas day D-a~~ A BB reporting entity must provide to AEMO on each gas day D+1 the daily flow data for each of its BB pipelines (other than BB pipelines forming part of a declared transmission system) for gas day D+1.

- (2) ~~Each gas day A~~ BB reporting entity for a BB pipeline forming part of a declared transmission system must provide to AEMO on each gas day D+1 the actual injections and withdrawals of natural gas at each receipt point, delivery point and transfer point on the declared transmission system on the basis of operational metering and as metered at any relevant connection point to the declared transmission system for gas day D~~+~~.
- (3) In subrule (2), the following terms have the meaning given in Part 19: connection point, actual injection, delivery point, receipt point, system point and transfer point.
- (4) A BB reporting entity must update the information provided under subrule (1) or (2) for its BB pipeline if the information is no longer accurate.

## 188 Daily production and storage data

- (1) ~~Each gas day D, A~~ BB reporting entity must provide to AEMO on each gas day D+1:
  - (a) the daily production data for each of its BB production facilities for gas day D~~+~~;
  - (b) the daily production data for each of its BB storage facilities for gas day D~~+~~; ~~and~~
  - (c) the actual quantity of natural gas held in each of its BB storage facilities at the end of gas day D~~+~~ and of that amount, how much is storage cushion gas;
  - (d) the daily production data for each of its BB compression facilities for gas day D;
  - (e) the daily production data for each of its LNG import facilities for gas day D; ~~and~~
  - (f) the actual quantity of LNG held in storage at each of its LNG import facilities at the end of gas day D.
- (2) A BB reporting entity must update the information provided under subrule (1) for its BB facility if the information is no longer accurate.

## ~~189~~ [Intentionally left blank.]

### 188A LNG shipment data

- (1) A BB reporting entity for an LNG export facility must provide to AEMO the LNG shipment data for each shipment of LNG loaded at the facility no later than the business day after completion of loading.
- (2) A BB reporting entity for an LNG import facility must provide to AEMO the LNG shipment data for each shipment of LNG unloaded at the facility no later than the business day after commencement of unloading.

- (3) A BB reporting entity must update the information provided under subrule (1) or (2) for its LNG processing facility if the information is no longer accurate.

## **189 Daily consumption data for BB large user facilities**

- (1) A BB reporting entity must provide to AEMO the daily consumption data for each gas day D for each of its BB large user facilities unless:
- (a) the information for the BB large user facility is required to be reported by the retail market operator under subrule (2); or
  - (b) an exemption from reporting is in effect under rule 190 for the BB large user facility.
- (2) The retail market operator must provide to AEMO the daily consumption data for each gas day D for each BB large user facility that takes its supply of gas through a regulated retail gas market.
- (3) The daily consumption data for gas day D must be provided to AEMO under subrule (1) or (2) as soon as practicable after the operational metering data is available and no later than the time specified in the BB Procedures.
- (4) A BB reporting entity must update the information provided under subrule (1) for its BB large user facility if the information is no longer accurate.
- (5) The retail market operator must update the information provided by it under subrule (2) for a BB large user facility if the information is no longer accurate.

## **190 [Intentionally left blank.]**

## **189A Daily consumption data for LNG export facilities**

- (1) A BB reporting entity must provide to AEMO on each gas day D+1 the daily consumption data for each gas day D for each of its LNG export facilities unless an exemption from reporting is in effect under rule 190 for the LNG export facility.
- (2) A BB reporting entity must update the information provided under subrule (1) for its LNG export facility if the information is no longer accurate.

## **190 Exemptions for the provision of daily consumption data**

- (1) A BB reporting entity may apply to AEMO for an exemption from the requirement to provide to AEMO daily consumption data for its BB large user facility or its LNG export facility.
- (2) AEMO may grant an exemption from the requirement to provide daily consumption data for a BB large user facility where AEMO is satisfied, based on information provided by the BB reporting entity, that:



- (a) for each delivery point at which the BB large user facility is connected to a BB pipeline, the BB large user facility is the only recipient of gas withdrawn at that delivery point; or
  - (b) not more than 10 TJ of natural gas has been delivered to the BB large user facility on any gas day during the immediately preceding 12 months and the amount delivered is not likely to exceed 10 TJ while the exemption is in effect.
- (3) AEMO may grant an exemption from the requirement to provide daily consumption data for an LNG export facility where AEMO is satisfied, based on information provided by the BB reporting entity, that for each delivery point at which the LNG export facility is connected to a BB pipeline, the LNG export facility is the only recipient of gas withdrawn at that delivery point.
- (4) AEMO may grant an exemption under this rule that expires at the time, or on the occurrence of an event, specified in the exemption.
- (5) AEMO may from time to time require the BB reporting entity for a BB large user facility or LNG export facility subject to an exemption under this rule to provide information to satisfy AEMO that the relevant exemption criterion continues to be satisfied.
- (6) AEMO may revoke an exemption granted under this rule if AEMO is no longer satisfied that the relevant exemption criterion is satisfied.
- (7) The BB reporting entity for a BB large user facility or LNG export facility granted an exemption under this rule must notify AEMO as soon as practicable if the relevant exemption criterion is no longer satisfied.
- (8) The BB Procedures may specify the procedures to be followed and the information to be provided by the BB reporting entity to apply for an exemption under this rule.

## **Subdivision 5.7 Auction service curtailment**

### **190A Auction service curtailment**

- (1) A BB reporting entity for a BB auction facility must provide to AEMO the following information if an auction service provided by its BB auction facility is subject to curtailment in respect of a gas day, including curtailment due to a renomination:
  - (a) notice of the curtailment and the gas day and auction service affected;
  - (b) a brief description of the cause of the curtailment; and
  - (c) whether the curtailed quantity for the auction service and gas day is material.



- (2) The information referred to in subrule (1) must be provided to AEMO as soon as practicable after the BB reporting entity becomes aware of the circumstances giving rise to the curtailment.
- (3) A BB reporting entity must update the information provided under subrule (1)(b) or (c) for its BB auction facility if the information is no longer accurate, including due to circumstances resulting in additional curtailment of the auction service for the gas day.
- (4) For the purposes of this rule, a curtailed quantity is material for a gas day and auction service if it is more than 10% of the quantity of transportation capacity sold in the capacity auction for use of the auction service on the gas day.

## **190B Daily auction service curtailment information**

- (1) Each gas day D+1, a BB reporting entity must provide to AEMO the auction service curtailment information for each auction service provided by means of its BB auction facility for gas day D+1.
- (2) A BB reporting entity must update the information provided under subrule (1) for its BB auction facility if the information is no longer accurate.

## **Subdivision 5.8 ~~Capacity~~ Transaction reporting**

### **190C ~~Obligation to report~~Capacity transactions**

- (1) A person who is a capacity seller for a BB capacity transaction (excluding a BB capacity transaction concluded through the gas trading exchange) must provide to AEMO the capacity transaction information for that BB capacity transaction, subject to subrule (2).
- (2) The BB Procedures may provide for an item of capacity transaction information provided to AEMO under subrule (1) for a BB capacity transaction to be a reasonable estimate or approximation, where the provision of the information is not otherwise practicable having regard to the nature or terms of the transaction.
- (3) Unless subrule (4) applies, the information referred to in subrule (1) must be provided to AEMO by the earlier of:
  - (a) 1 business day after the trade date for the BB capacity transaction; and
  - (b) the day prior to the date on which the service term for the BB capacity transaction starts.
- (4) Where the service term for a BB capacity transaction starts on the trade date for the transaction, the information referred to in subrule (1) must be provided to AEMO as soon as reasonably practicable on the trade date.

- (5) A capacity seller for a BB capacity transaction must update the information it has provided to AEMO under subrule (1) if the information is no longer accurate.

### **190CA Short term LNG export transactions**

- (1) A person who is a gas seller for a short term LNG export transaction must provide to AEMO the short term LNG export transaction information for the transaction.
- (2) Unless subrule (3) applies, the information referred to in subrule (1) must be provided to AEMO by the earlier of:
- (a) 1 business day after the trade date for the short term LNG export transaction; and
  - (b) the day prior to the day on which the supply period for the short term LNG export transaction starts.
- (3) Where the supply period for a BB short term gas transaction starts on the trade date for the transaction, the information referred to in subrule (1) must be provided to AEMO as soon as reasonably practicable on the trade date.
- (4) Where the transaction price for a short term LNG export transaction is expressed in a currency other than Australian dollars or the transaction is priced on a basis other than free on board (such as delivered ex ship), for the purpose of reporting the short term LNG export transaction information for the transaction under this Part, the seller must convert the transaction price to a free on board price in Australian dollars in accordance with the BB Procedures.
- (5) A gas seller for a short term LNG export transaction must update the information it has provided to AEMO under subrule (1) if the information is no longer accurate.

### **190CB BB short term gas transactions**

- (1) A person who is a gas seller for a BB short term gas transaction (excluding a BB short term gas transaction concluded through the gas trading exchange or through a regulated gas market) must provide to AEMO the short term gas transaction information for the transaction, subject to subrule (2).
- (2) The BB Procedures may provide for an item of short term gas transaction information provided to AEMO under subrule (1) to be a reasonable estimate or approximation, where the provision of the information is not otherwise practicable having regard to the nature or terms of the transaction.
- (3) Unless subrule (4) applies, the information referred to in subrule (1) must be provided to AEMO by the earlier of:
- (a) 1 business day after the trade date for the BB short term gas transaction; and
  - (b) the day prior to the day on which the supply period for the BB short term gas transaction starts.

- (4) Where the supply period for a BB short term gas transaction starts on the trade date for the transaction, the information referred to in subrule (1) must be provided to AEMO as soon as reasonably practicable on the trade date.
- (5) A gas seller for a BB short term gas transaction must update the information it has provided to AEMO under subrule (1) if the information is no longer accurate.

## 190D **[Not used.]Reporting through an agent**

### **Note:**

The content of this rule has been moved to rule 162.

- ~~(1) A person required to provide information to AEMO under rule 190C may, with the consent of the person appointed, appoint a person registered under this Part, including a capacity transaction reporting agent, to provide that information to AEMO on its behalf.~~
- ~~(2) A person who makes an appointment under subrule (1) remains responsible under this Part for ensuring that the person's obligations under Division 4 and rule 190C in relation to the information to be provided to AEMO are complied with.~~
- ~~(3) An appointment under subrule (1) may be revoked by the person who made the appointment or the person appointed.~~
- ~~(4) The BB Procedures may provide for notice to be given to AEMO of an appointment under subrule (1), the consent of the person appointed or a revocation under subrule (3) and the information to be included with the notice.~~
- ~~(5) AEMO is not required to verify the validity of an appointment or consent under subrule (1) or a revocation under subrule (3).~~

## 190E **Reporting by the GSH Operator**

- (1) For each BB capacity transaction or BB short term gas transaction concluded through the gas trading exchange, theThe GSH Operator must provide to AEMO the capacity transaction information or short term gas transaction information as applicable~~for each BB capacity transaction concluded through the gas trading exchange.~~
- (2) The GSH Operator must provide the information in subrule (1) by the end of the gas day on which the relevant BB capacity~~transaction~~ is concluded through the gas trading exchange.

## **Subdivision 5.9 Facility development project reporting**

### **190F Obligation to report**

- (1) A BB reporting entity must provide to AEMO the following information for each of its facility development projects:
  - (a) the type of facility;
  - (b) the facility's proposed nameplate rating;
  - (c) the location of the facility;
  - (d) the proposed name of the facility, if known;
  - (e) the proposed commissioning date for the facility, or a range of dates; and
  - (f) the BB reporting entity's assessment of the stage of development of the facility development project, applying the assessment framework in the BB Procedures.
- (2) The information referred to in subrule (1) must be provided to AEMO:
  - (a) on registration of the facility development project under this Part; and
  - (b) annually, by the date specified in the BB Procedures.
- (3) A BB reporting entity must update the information provided to AEMO under subrule (1) if the information is no longer accurate.

## **Division 6 Other information**

### **191 BB Participants may indicate spare capacity available for purchase or capacity requirements**

- (1) At any time, a BB participant may notify other BB users that it has spare capacity in a BB facility for purchase by providing details of the spare capacity to AEMO in the form required by the BB Procedures.
- (2) At any time, a BB participant may notify other BB users that it wishes to purchase spare capacity in a BB facility by providing details of the capacity it wishes to purchase to AEMO in the form required by the BB Procedures.
- (3) For the avoidance of doubt, a notice given under subrule (1) or (2) and posted on the Bulletin Board by AEMO is an invitation to treat and not an offer capable of acceptance by another person.

## **192 BB participants may indicate gas available for purchase or gas requirements**

- (1) At any time, a BB participant may notify other BB users that it has natural gas available for purchase by providing details of the natural gas available for purchase to AEMO in the form required by the BB Procedures.
- (2) At any time, a BB participant may notify other BB users that it wishes to purchase natural gas by providing details of the natural gas it wishes to purchase to AEMO in the form required by the BB Procedures.
- (3) For the avoidance of doubt, a notice given under subrule (1) or (2) and posted on the Bulletin Board by AEMO is an invitation to treat and not an offer capable of acceptance by another person.

## **Division 7 Publication of information by AEMO**

### **193 Publication of information by AEMO**

Except where provided to the contrary in the Rules, information that AEMO is required to publish on the Bulletin Board under this Division 7, must be published by AEMO on the Bulletin Board in the time and manner specified in the BB Procedures.

### **194 Publication of information provided to AEMO under Division 5**

- (1) Subject to subrule (2) [and rules 195A and 195C](#), AEMO must publish on the Bulletin Board:
  - (a) [the information provided to AEMO by BB reporting entities in accordance with the obligations of BB reporting entities under Division 5;](#) [and](#)
  - (b) [aggregated and anonymised information about the sensitivity of 2P reserves estimates to an increase or decrease in gas prices of 10% based on the information provided to AEMO under rule 171B\(3\).](#)
- (2) AEMO must not [publish information about](#):
  - (a) ~~[publish on the Bulletin Board information about](#)~~ nominations and forecasts provided to AEMO under rule 183, unless the information is published in aggregated form in accordance with [subrule \(3\)](#) ~~this rule~~; or
  - (b) ~~[publish information about](#)~~ actual flows for gas day D provided to AEMO under Subdivision 5.6 of Division 5 before gas day D+1; [or](#)
  - (c) [the sensitivity of 2P reserves estimates to changes in gas prices provided to AEMO under rule 171B\(3\), unless the information is aggregated to participating jurisdiction level and is in anonymised form; or](#)

- (d) a shipment of LNG from an LNG export facility provided to AEMO under Subdivision 5.6 of Division 5 before 20 business days after the end of the month in which the LNG is loaded.
- (3) AEMO must publish on the Bulletin Board in respect of each gas day D based on the information about nominations and forecasts provided to AEMO under rule 183:
- (a) for BB pipelines, nominated injections and withdrawals of natural gas for the gas day aggregated in accordance with the aggregation method referred to in subrule (4); and
  - (b) for BB pipelines, forecast injections and withdrawals of natural gas for gas days D+1 to ~~gas day~~ D+6 aggregated in accordance with the aggregation method referred to in subrule (4).
- (4) AEMO must determine and may amend from time to time an aggregation method to be used by AEMO for subrule (3) which so far as practicable:
- (a) makes the data provided to AEMO available to BB users only as a representation of the direction and quantity of gas flows in BB pipelines; and
  - (b) does not directly or indirectly disclose a nomination made by a market generating unit as defined in the National Electricity Rules or a facility for generating electricity that participates in a wholesale electricity market operating from time to time in the Northern Territory.
- (5) AEMO must publish on the Bulletin Board an overview of the aggregation methods used by AEMO for this rule ~~subrule (3)~~.

## 195 Publication of representation of actual flows

- (1) In addition to AEMO's obligation under rule 194(1), AEMO must also publish on the Bulletin Board in respect of each gas day D, based on the data provided to AEMO under Subdivision 5.6 of Division 5:
- (a) the daily flow data for each BB pipeline aggregated to provide a representation of the direction and quantity of gas flows in BB pipelines on the gas day; and
  - (b) data about demand for natural gas aggregated to provide a representation of demand in different locations within demand categories determined by AEMO.
- (2) AEMO must determine and may amend from time to time the aggregation methods used by AEMO for subrule (1) and must publish on the Bulletin Board an overview of the aggregation methods.

## **195A Publication of capacity transaction information**

- (1) Subject to subrules (2), (3) and (4), AEMO must publish capacity transaction information provided to AEMO under Subdivision 5.8 on the Bulletin Board.
- (2) [AEMO must not publish ~~The information published under subrule \(1\)~~ must not include](#) the names of the parties to [the](#) BB capacity transaction.
- (3) For forward haul, backhaul, park and compression services relating to a Part 24 facility, AEMO must publish the information provided to AEMO about the service points at or between which the BB transportation service is provided using the zones to which the service points belong.
- (4) The information published under subrule (1) relating to a transportation facility that is not a Part 24 facility must not include the service points at or between which the BB transportation service is provided.
- (5) [Subject to subrules \(2\), \(3\) and \(4\)](#), AEMO may also publish on the Bulletin Board, based on the information referred to in subrule (1), data about BB capacity transactions in the form and containing the information determined by AEMO.

## **195B Publication of capacity auction information**

AEMO must publish on the Bulletin Board information in relation to the capacity auction specified in the Capacity Transfer and Auction Procedures for the purposes of this rule.

## **195C Publication of short term gas transaction information**

- (1) [Subject to subrules \(2\) and \(3\), AEMO must publish short term LNG export transaction information and short term gas transaction information provided to AEMO under Subdivision 5.8 on the Bulletin Board.](#)
- (2) [AEMO must not publish:](#)
  - (a) [the names of the parties to a short term LNG export transaction or a BB short term gas transaction; or](#)
  - (b) [information about a short term LNG transaction provided to AEMO under Subdivision 5.8 of Division 5 earlier than 20 business days after the trade date for the transaction.](#)
- (3) [AEMO must only publish information under subrule \(1\):](#)
  - (a) [in a form that so far as practicable does not identify the person to whom the information relates or allow that to be determined; and](#)
  - (b) [if the information has been combined or arranged with other information so that so far as practicable it does not reveal the price applicable to any particular transaction or allow that price to be calculated.](#)

- (4) AEMO must determine and may amend from time to time an aggregation method to be used by AEMO for subrule (3).
- (5) The aggregation method to be used by AEMO for subrule (3):

  - (a) may aggregate by:

    - (i) participating jurisdiction, trading location established under the exchange agreement or the location of multiple trading locations under the exchange agreement (such as Wallumbilla or Moomba); or
    - (ii) other location specified in the BB Procedures,
  - subject in each case to subrule (3) being satisfied; and
  - (b) may allow for the exclusion of information about one or more BB short term gas transactions where reasonable to improve the quality or reliability of the published information.
- (6) AEMO must publish on the Bulletin Board an overview of the aggregation method used by AEMO for subrule (3).
- (7) Subject to subrules (2) and (3), AEMO may also publish on the Bulletin Board, based on the information referred to in subrule (1), data about short term LNG export transactions or BB short term gas transactions in the form and containing the information determined by AEMO.

## **Division 8                  Access to the Bulletin Board**

### **196                  BB users bound by terms of use**

Each and every time a person accesses the Bulletin Board, that person is deemed to agree to the BB terms of use.

### **197                  BB user requests access to archive information (Section 222 of the NGL)**

- (1) A BB user may request AEMO to provide it with any information that was previously but is not, at the time of the request, published on the Bulletin Board.
- (2) If practicable, AEMO must provide the service requested under subrule (1) and, unless it determines otherwise, charge the BB user an information retrieval fee for providing the service.
- (3) For the purposes of subrule (2), AEMO must publish on the Bulletin Board a schedule of information retrieval fees which must be calculated on the basis of recovering only the costs incurred in processing requests.
- (4) AEMO may use the *expedited consultation procedure* or any other consultation procedure it determines is appropriate in all the circumstances (including but not



limited to the *standard consultative procedure*) to consult with BB participants with respect to the formulation of the schedule of information retrieval fees.

**Note:**

See rules 8 & 9.

# **National Gas Rules**

## **New Part 18A –**

### **Compression and storage**

### **terms and prices**

## Part 18A                      Compression and storage terms and prices

### Division 1                      Preliminary

#### 198A                      Objective

This Part specifies, for section 83AB of the *NGL*, information and transparency requirements relating to compression service facilities and storage facilities.

#### 198B                      Definitions and interpretation

(1) In this Part:

**application date** means:

- (a) for a Part 18A facility on the commencement date, the date falling 5 months after the commencement date; or
- (b) for a new Part 18A facility, including a natural gas industry facility that becomes a Part 18A facility following an extension or expansion, 20 business days after the facility or the relevant expansion or extension to the facility is commissioned.

**commencement date** means the date this Part commences.

**exemption** means an exemption granted under Division 3.

**information** includes data.

**Part 18A facility** means:

- (a) a BB compression facility as defined in Part 18; and
- (b) a BB storage facility as defined in Part 18.

**Part 18A information standard** is defined in rule 198D(2).

**price reporting guidelines** means the guidelines published by the AER under rule 198H as amended from time to time.

**service provider** means a person who owns, controls or operates a Part 18A facility.

**standing terms** means the information required to be published under rule 198F.

**terms and conditions** includes price and non-price terms and conditions.

**user** means a person who is a party to a contract with a service provider under which the service provider provides, or intends to provide, a compression or storage service to that person by means of a Part 18A facility.

**weighted average price information** for a Part 18A facility means:

- (a) the weighted average prices paid by users for facility services in a financial year of the service provider of the Part 18A facility; and
  - (b) a description of the methodology used by the service provider to calculate the weighted average prices.
- (2) In this Part, a reference to a facility service on a Part 18A facility includes a service provided by means of the facility and a service ancillary to the provision of a service provided by means of the facility.
- (3) For the purposes of this Part, the circumstances in which a service provider for a Part 18A facility provides a facility service to a user indirectly include where:
  - (a) an associate of the service provider provides the facility service to the user; and
  - (b) the facility service is bundled with the supply of a natural gas service.

**Note:**

Section 2 of the *NGL* defines associate, supply and natural gas service.

## **198C Application of this Part**

This Part does not apply to a facility located in Western Australia until the day fixed in an order under section 20A of the National Gas Access (Western Australia) Law within the meaning of the *National Gas Access (WA) Act 2009* of Western Australia.

## **Division 2 Information**

### **198D Part 18A information standard**

- (1) A service provider required by this Division to prepare, publish and maintain information must do so in accordance with the Part 18A information standard.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

- (2) The **Part 18A information standard** means that the information:
  - (a) is not false or misleading in a material particular; and
  - (b) is prepared, published and maintained in accordance with the practices, methods and acts that would reasonably be expected from an experienced and competent person engaged in the ownership, operation or control of a Part 18A facility of the relevant type acting with all due skill, diligence, prudence and foresight.
- (3) Where a service provider becomes aware that information required to be published by it under this Part does not comply with the Part 18A information standard or this

Part, or is inaccurate, the service provider must publish information that does comply as soon as practicable after the service provider becomes aware of the non-compliance or inaccuracy.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

- (4) Information published under this Part must include the date of publication, the date to which the information is current and, if the information replaces an earlier version as provided for by subrule (3), notice of that fact.

## 198E Obligation to publish information

- (1) Subject to subrule (5), a service provider for a Part 18A facility must prepare, publish and maintain:
  - (a) standing terms in accordance with rule 198F; and
  - (b) weighted average price information in accordance with rule 198G, subject to rule 198G(3),

in accordance with the *NGL*, this Part and the price reporting guidelines.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

- (2) The information referred to in subrule (1) must be published at the following times.

standing terms	<p>No later than 20 business days after the application date for the Part 18A facility.</p> <p>Updated standing terms must be published within 20 business days after a new facility service is added or an existing facility service changes or is withdrawn.</p>
weighted average price information	<p>Annually no later than four months after the end of the financial year of the service provider for the Part 18A facility.</p>

- (3) A service provider for a Part 18A facility must publish the information referred to in subrule (1) by making the information publicly available on the service provider's website.
- (4) When the service provider for a Part 18A facility publishes weighted average price information, it must notify the AER without delay that the information has been published.
- (5) A service provider for a Part 18A facility is not required to comply with subrule (1) in relation to a Part 18A facility to the extent that an exemption from the obligation

to publish the information has been granted in relation to the Part 18A facility under Division 3 and that exemption remains in effect.

- (6) A service provider for a Part 18A facility must ensure that historical weighted average price information for its Part 18A facility continues to be publicly available for a period of 5 years after the date the information is first published, by publishing the information in accordance with subrule (3).
- (7) A service provider for a Part 18A facility must as soon as practicable update the information published under this rule if that information is no longer accurate.

## **198F Standing terms**

- (1) The service provider for a Part 18A facility must publish:
  - (a) standing terms for each facility service on the facility in accordance with subrule (2); and
  - (b) the methodology used to calculate the standing price referred to in subrule (2)(b) and sufficient information to enable a person who seeks or wishes to be provided with facility services by means of the Part 18A facility to understand how the standing price reflects the application of the methodology.
- (2) The standing terms must in each case include:
  - (a) the service provider's standard terms and conditions applicable to the facility service;
  - (b) the standing price, being the price applicable to the facility service under the terms and conditions referred to in paragraph (a); and
  - (c) other information about prices and charges applicable to the facility service including the charging structure for the facility service, any minimum charge and any additional charges that may be payable.

## **198G Weighted average price information**

- (1) Subject to subrule (3), a service provider for a Part 18A facility must prepare and publish on its website weighted average price information for each of its Part 18A facilities.
- (2) The weighted average price information must:
  - (a) be determined using a methodology set out in the price reporting guidelines;
  - (b) be in the form and contain the information specified in the price reporting guidelines; and
  - (c) be certified in the manner provided for in the price reporting guidelines.

- (3) Subject to subrule (4), a service provider is not required to publish the weighted average price information for a Part 18A facility service for a financial year if:
  - (a) during the relevant period, the facility service was provided, directly or indirectly, to no more than two users of the Part 18A facility; and
  - (b) the service provider gives a notice to the AER at least 20 business days before the date required for publication that the service provider is not publishing the information for that financial year, specifying the facility service to which the notice relates and certifying the facility service was provided to no more than two users of the Part 18A facility during the relevant period.
- (4) Where a notice is given to the AER under subrule (3), the AER may by notice to the service provider require the service provider to treat two or more facility services on the Part 18A facility as if they were the same facility service and calculate and publish weighted average price information for the financial year on that basis.
- (5) A service provider must comply with a notice given to it under subrule (4).

## **198H Price reporting guidelines**

- (1) The AER must publish and maintain price reporting guidelines under this Part and may do so with the financial reporting guidelines published by the AER under Part 23.
- (2) The price reporting guidelines must:
  - (a) specify the methods, principles and inputs to be used to calculate weighted average price information and the form this information is to take;
  - (b) specify the level of detail of information required, which must be the level of detail reasonably required and to provide a true and fair statement of the weighted average prices for facility services on the facility;
  - (c) specify any accounting or audit standards that apply to the reported information; and
  - (d) provide for the manner in which the weighted average price information is to be certified as being true and fair.
- (3) The AER may from time to time amend the price reporting guidelines in accordance with the *standard consultative procedure* in rule 8.

### **Note:**

The *standard consultative procedure* provides for publication of the proposal and consultation on the draft decision before making a final decision.

**198I Not used**

**Division 3 Exemptions**

**198J Exemption categories**

- (1) The AER must on the application of the service provider for a Part 18A facility, grant an exemption under this Division in respect of the service provider's Part 18A facility, if:
  - (a) the exemption sought is provided for in subrule (3);
  - (b) the service provider has demonstrated to the reasonable satisfaction of the AER that the Part 18A facility satisfies the exemption criteria in subrule (3); and
  - (c) the AER is otherwise satisfied that in all the circumstances the exemption should be granted.
- (2) Subject to this Division, the AER may grant an exemption under this Division in respect of a class or group of Part 18A facilities on the application of a service provider for one or more of the Part 18A facilities or on its own initiative.
- (3) The exemption available under this Part and the exemption criteria are as follows:

Exemption	Exemption criteria
The service provider for the Part 18A facility is exempt from the obligation to publish information under Division 2 in relation to the Part 18A facility.	Either of the following: <ol style="list-style-type: none"><li>(a) The Part 18A facility is not a third party access facility.</li><li>(b) The Part 18A facility is a single user facility.</li></ol>

- (4) For the purposes of the table in subrule (3):
  - (a) a Part 18A facility is a **third party access facility** if any facility services on the Part 18A facility are offered or provided, directly or indirectly, to any person other than:
    - (i) the service provider for the Part 18A facility;
    - (ii) a related body corporate of the service provider for the Part 18A facility; or
    - (iii) a joint venture in which the service provider for the Part 18A facility or a related body corporate of the service provider is a joint venture participant;



- (b) a Part 18A facility is a **single user facility** if:
    - (i) the facility is a third party access facility; and
    - (ii) all facility services on the Part 18A facility are provided to a single user, taking into account facility services provided both directly and indirectly by the service provider; and
  - (c) **related body corporate** has the meaning in the Corporations Act 2001 of the Commonwealth.
- (5) An exemption granted by the AER in accordance with this Division:
- (a) takes effect on the date specified by the AER in the exemption; and
  - (b) ends on the expiry date specified in the exemption or, if earlier, the date a revocation of the exemption made under this Division comes into effect.
- (6) The AER must establish, publish and maintain a register of exemptions and exemption revocations made under this Division.
- (7) The service provider for a Part 18A facility for which an exemption has been granted under this Division must notify the AER without delay if circumstances change such that the Part 18A facility no longer qualifies for the exemption under this Division.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

## **198K Exemption conditions**

- (1) An exemption under this Division may be granted subject to any conditions determined by the AER.
- (2) The service provider for a Part 18A facility for which an exemption has been granted under this Division must comply with any conditions of the exemption.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

- (3) The AER may on the application of the service provider for the Part 18A facility concerned or on its own initiative vary the conditions of an exemption.
- (4) A variation to the conditions of an exemption takes effect on the date specified by the AER in its decision to grant the variation.

## **198L      Revocation**

- (1) The AER may revoke an exemption granted by it under this Division where in the AER's reasonable opinion, the relevant exemption criteria in subrule 198J(3) is no longer satisfied.
- (2) The AER may revoke an exemption granted by it under this Division on its own initiative or following an application made by any person.
- (3) A revocation of an exemption under this rule takes effect on the date specified by the AER in its decision to revoke the exemption.
- (4) If a exemption is revoked for a Part 18A facility, for the purpose of rule 198E(2) the application date for the Part 18A facility is taken to be the date on which the revocation takes effect.

## **198M      Making and form of application**

- (1) A service provider for a Part 18A facility may apply to the AER for:
  - (a) the grant of an exemption for its Part 18A facility; or
  - (b) a variation to any condition of an exemption for its Part 18A facility.
- (2) Any person may apply to the AER for the revocation of an exemption.
- (3) An application under this Division must be in the form, and contain the information, specified in any guidelines issued by the AER for the purposes of this rule.
- (4) The AER may, within the period for making a decision on the application under rule 198N ask the applicant to provide further information or clarification in support of the application if the AER considers that the application is incomplete or requires clarification.
- (5) If the AER asks for further information or clarification under subrule (4), the application is taken to have been made when the further information or clarification is provided to the AER's satisfaction.

## **198N      Decision on application**

- (1) The AER must decide whether to grant or refuse to grant an application made under rule 198M within 40 business days after the application is made.
- (2) The AER may extend the time period in subrule (1) by a further period of 20 business days by giving the applicant written notice of the extension not later than 30 business days after the application is made.
- (3) The AER must:

- (a) give the applicant written notice of its decision to grant or refuse to grant an application made under rule 198M, including any conditions imposed in accordance with rule 198K; and
- (b) if the AER imposes conditions on the grant of an exemption or a variation of an exemption in accordance with rule 198K, or refuses to grant an application made under rule 198M, it must give the applicant written reasons for its decision.

## **198O Decision to vary or revoke an exemption**

- (1) If the AER proposes to vary or revoke an exemption other than on the application of the service provider for the Part 18A facility concerned, it must notify the service provider for the facility and invite the service provider to make submissions about the proposed variation or revocation within 20 business days of the notice.
- (2) If a service provider given a notice under subrule (1) provides written submissions to the AER within the period required by the notice, the AER must have regard to those submissions in deciding to vary or revoke the exemption.
- (3) If the AER varies or revokes an exemption it must give the service provider for the Part 18A facility written reasons for its decision.

# **National Gas Rules**

## **New Schedule 1**

### **Transitional Provisions**

## Schedule 1 Transitional Provisions

### Part 15 Transitional provisions consequent on the National Gas Amendment (Market Transparency) Rule 2020

#### 75 Definitions

- (1) Terms defined in the Amending Rule have the same meaning when used in this Part.

- (2) For the purposes of this Part 15:

**ACCC** means the Australian Competition and Consumer Commission.

**ACCC gas inquiry** means the ACCC's inquiry into gas supply in Australia conducted at the direction of the Treasurer made on 19 April 2017 pursuant to section 95H(1) of the *Competition and Consumer Act 2010* (Cth), as extended from time to time.

**ACCC gas price information** means information relating to prices in gas markets published from time to time by the ACCC for the ACCC gas price inquiry.

**Amending Rule** means the *National Gas Amendment (Market Transparency) Rule 2020* made by the South Australian Minister under section 294FA of the *NGL*.

**commencement date** means [*date*].

**new BB rules** means Part 18 as in force immediately after the commencement date.

**new GSOO rules** means Part 15D as in force immediately after the commencement date.

**new Part 18A** means part 18A as in force immediately after the commencement date.

**new price reporting rules** means Part 17 as in force immediately after the commencement date.

**old BB rules** means Part 18 as in force immediately before the commencement date.

**reporting entity** has the meaning given in rule 1 of Part 5 of Schedule 5.

**transitional compression facility** has the meaning given in rule 1 of Part 5 of Schedule 5.

#### 76 AEMO Procedures

- (1) By no later than 3 months before the commencement date, AEMO must review, and where necessary, amend and publish the BB Procedures to take into account the Amending Rule.
- (2) The amendments to the BB Procedures referred to in subrule (1) must take effect on and from the commencement date.

- (3) AEMO must make and publish the initial GSOO Procedures in accordance with Part 15B by no later than 3 months before the commencement date.
- (4) For the purposes of Part 15B, information and notices published by AEMO and consultation undertaken by AEMO in relation to:
  - (a) proposed amendments to the BB Procedures in accordance with subrule (1); or
  - (b) proposed GSOO Procedures in accordance with subrule (3),before the commencement date are taken to satisfy the requirements for publication and consultation under rules 135EE and 135EF, if and to the extent that publication and consultation would have satisfied those requirements if it had been conducted after that date.

## **77 Transition of existing registrations**

- (1) Subject to subrules (2) and (3), each registration under the old BB rules in effect immediately before the commencement date continues as a registration under the new BB Rules on and from the commencement date.
- (2) A person who immediately before the commencement date was registered under the old BB rules as a capacity transaction reporting agent is taken to be registered under the new BB rules as a BB reporting agent on and from the commencement date.
- (3) A person who immediately before the commencement date was registered under the old BB rules as a BB transportation facility user is taken to be registered under the new BB rules in the capacity of capacity seller on and from the commencement date.
- (4) A person who immediately before the commencement date is a reporting entity for a transitional compression facility is taken to be registered under the new BB rules as the BB reporting entity for the transitional compression facility on and from the commencement date.
- (5) A compression service facility that immediately before the commencement date is a transitional compression facility is taken to be registered under the new BB rules as a BB compression facility on and from the commencement date.
- (6) On and from the commencement date, a registration mentioned in this rule may be amended or revoked in accordance with the new BB rules.

## **78 Obligation to register existing facilities, fields and projects**

- (1) Subrule (2) applies to a person required to register under:
  - (a) rule 150 of the new BB rules in respect of a BB compression facility, a BB large user facility or an LNG processing facility commissioned on or before the commencement date;
  - (b) rule 151 of the new BB rules in respect to a BB field interest held by the person on the commencement date; or

- (c) rule 152 of the new BB rules in respect of a facility development project that satisfies the criteria in the BB Procedures to be classified as a proposed or committed development on or before the commencement date.
- (2) A person mentioned in subrule (1) must apply to AEMO to register under the new BB rules as the BB reporting entity for the relevant BB facility, BB field or facility development project no later than 20 business days after the commencement date.

**Note:**

It is proposed to classify this subrule as a civil penalty provision.

## **79 AER price reporting function**

- (1) The AER must not publish information pursuant to a price information determination made under rule 140B of the new price reporting rules until after the ACCC publishes its final report made for the purposes of the ACCC gas inquiry.
- (2) Subrule (1) does not prevent the AER from:
  - (a) publishing information pursuant to a price information determination that relates to a period before that date; or
  - (b) publishing gas price assumptions in accordance with rule 140A at any time after the commencement date.
- (3) The AER must consult in accordance with the *standard consultative procedure* about the initial price information order under the *NGL* and the initial determination under rule 140B(2) of the new price reporting rules.

## **80 Detailed facility information**

- (1) A BB reporting entity for a BB transmission pipeline registered under the older BB rules immediately before the commencement date must provide the detailed facility information specified in rule 169(4)(a)(i) and relating to compression service facilities, BB large user facilities or LNG processing facilities of the new BB rules to AEMO no later than 20 business days after the commencement date.

## **81 Initial price reporting guidelines**

- (1) The AER must publish the initial price reporting guidelines under rule 198G in new Part 18A no later than 5 months after the date Part 18A commences.
- (2) Subject to subrule (3), before publishing the initial price reporting guidelines, the AER may consult on a draft by:
  - (a) publishing the draft on its website and inviting comments on the draft within a specified time; and
  - (b) considering any comments on that draft provided within the specified time before publishing the initial price reporting guidelines.
- (3) In determining whether to consult under subrule (2), the AER may take into account consultation by the AER or any other person undertaken in the development of the draft initial price reporting guidelines.