



Draft National Electricity Amendment (Accelerating smart meter deployment) Rule 2024

The Australian Energy Market Commission makes the following Rule under the National Electricity Law to the extent applied by:

- (a) the *National Electricity (South Australia) Act 1996* of South Australia;
- (b) the *Electricity (National Scheme) Act 1997* of the Australian Capital Territory;
- (c) the *Electricity - National Scheme (Queensland) Act 1997* of Queensland;
- (d) the *National Electricity (New South Wales) Act 1997* of New South Wales;
- (e) the *Electricity - National Scheme (Tasmania) Act 1999* of Tasmania;
- (f) the *National Electricity (Victoria) Act 2005* of Victoria;
- (g) the *National Electricity (Northern Territory) (National Uniform Legislation) Act 2015* of the Northern Territory; and
- (h) the *Australian Energy Market Act 2004* of the Commonwealth.

Anna Collyer
Chairperson
Australian Energy Market Commission

Draft National Electricity Amendment (Accelerating smart meter deployment) Rule 2024

1 Title of Rule

This Rule is the *Draft National Electricity Amendment (Accelerating smart meter deployment) Rule 2024*.

2 Commencement

Schedule 1 of this Rule commences operation on [22 January 2025].

Schedule 2 of this Rule commences operation on [26 June 2025].

Schedule 3 of this Rule commences operation on [25 July 2024].

3 Amendment to the National Electricity Rules

The National Electricity Rules are amended as set out in Schedule 1.

4 Amendment to the National Electricity Rules

The National Electricity Rules are amended as set out in Schedule 2.

5 Savings and Transitional Amendment to the National Electricity Rules

The National Electricity Rules are amended as set out in Schedule 3.

Schedule 1 Amendment to the National Electricity Rules

(Clause 3)

[1] Clause 7.8.10 Metering installation malfunctions

In clause 7.8.10(a), omit “Unless” and substitute “Subject to paragraph (a1), unless”.

[2] Clause 7.8.10 Metering installation malfunctions

Omit clause 7.8.10(a)(2), and substitute:

- (2) for a *metering installation* at a *small customer's* premises:
 - (i) where the *metering installation malfunction* is an *individually identified malfunction*, 15 *business days* after the *Metering Coordinator* has been notified of the *metering installation malfunction*; or
 - (ii) where the *metering installation malfunction* is a *family failure*, 70 *business days* after the *Metering Coordinator* has been notified of the *metering installation malfunction*;
or

[3] Clause 7.8.10 Metering installation malfunctions

After clause 7.8.10(a), insert the following new provisions:

- (a1) Where the *Metering Coordinator* has become aware that repairing the *metering installation* requires interrupting supply to another *small customer* or *large customer*, then this clause 7.8.10 does not apply to the *metering installation malfunction* and the *metering installation* must instead be replaced pursuant to the *Shared Fusing Meter Replacement Procedure*.

[4] Clause 7.8.10 Metering installation malfunctions

Omit clause 7.8.10(c), and substitute:

- (c) If an exemption is sought by a *Metering Coordinator* under this clause 7.8.10 then the *Metering Coordinator* must provide *AEMO* with a plan for the rectification of the *metering installation* at the time of making the application.

[5] Clause 7.8.10A Timeframes for meters to be installed – new connection

Omit clause 7.8.10A(c1), and substitute:

- (c1) Subject to the reapplication of paragraph (b), where the exception under subparagraph (b)(3) solely applies, the *retailer* must arrange for

the *meter* to be installed pursuant to the *Shared Fusing Meter Replacement Procedure*.

[6] Clause 7.8.10B Timeframes for meters to be installed – where a connection service is not required

Omit clause 7.8.10B(c1), and substitute:

- (c1) Subject to the reapplication of paragraph (b), where the exception under subparagraph (b)(3) solely applies, the *retailer* must arrange for the *meter* to be installed pursuant to the *Shared Fusing Meter Replacement Procedure*.

[7] Clause 7.8.10C Timeframes for meters to be installed – where a connection alteration is required

Omit clause 7.8.10C(c1), and substitute:

- (c1) Subject to the reapplication of paragraph (b), where the exception under subparagraph (b)(3) solely applies, the *retailer* must arrange for the *meter* to be installed pursuant to the *Shared Fusing Meter Replacement Procedure*.

[8] New clause 7.8.10D Shared fusing meter replacement procedure

After clause 7.8.10C, insert the following new clause:

7.8.10D Shared fusing meter replacement procedure

- (a) Where a *Metering Coordinator (Original Metering Coordinator)* is aware that repairing, installing or replacing a *metering installation* at the *connection point* of one *small customer (First Affected Meter)* requires interrupting supply to other *small customers*, the Original Metering Coordinator must notify the relevant *retailer* within 5 *business days*.
- (b) Within 5 *business days* of being notified by the Original Metering Coordinator under paragraph (a), the *retailer* must inform the relevant *Local Network Service Provider*.
- (c) Within 20 *business days* of being notified by the *retailer* under paragraph (b), the *Local Network Service Provider* must visit the site and determine all *NMIs* requiring interruption of supply. If:
 - (1) the *metering installations* on the affected *NMIs* (including the First Affected Meter) are not *Legacy Meters*, then the Original Metering Coordinator must repair the First Affected Meter within 40 *business days* of becoming aware of the need for the interruption; or

- (2) one or more of the *metering installations* on the affected *NMIs* (including the First Affected Meter) is a *Legacy Meter*, then the *Local Network Service Provider* must issue a notice to each relevant *retailer* (**Shared Fusing Meter Replacement Notice**), which includes:
- (i) the name of the Original Metering Coordinator; and
 - (ii) the time and date on which all the affected *metering installations* that are *Legacy Meters* must be replaced and, if the First Affected Meter is not a *Legacy Meter*, the time and date on which the First Affected Meter must be repaired (**Shared Fusing Meter Replacement Date**).
- (d) The Shared Fusing Meter Replacement Date must be the same for any *metering installation* replacement and repair under subparagraph (2)(ii) and be between *25 business days* and *45 business days* after the Shared Fusing Meter Replacement Notice has been issued by the *Local Network Service Provider* to the relevant *retailers*.
- (e) Subject to paragraph (e), within *10 business days* of receiving a Shared Fusing Meter Replacement Notice from the *Local Network Service Provider*, each *retailer* must appoint a *Metering Coordinator* (which may be the Original Metering Coordinator or another *Metering Coordinator*) to replace the relevant *Legacy Meters* and, if relevant, repair the First Affected Meter on the Shared Fusing Meter Replacement Date.

Note

The AEMC proposes to recommend that clause 7.8.10D(d) be classified as a Tier 2 civil penalty provision under the National Electricity (South Australia) Regulations. (See clause 6(1) and Schedule 1 of the National Electricity (South Australia) Regulations.)

- (f) Paragraph (d) does not apply if the proposed site in relation to a *metering installation* that would otherwise be replaced pursuant to a Shared Fusing Meter Replacement Notice is not accessible, safe or ready for installation on the Shared Fusing Meter Replacement Date.

[9] Clause S7.1.2 Metering register information

In clause S7.1.2(b)(6), substitute “asset management plan” with “*asset management strategy*”.

[10] Clause S7.6.1 General

In clause S7.6.1(c)(2), substitute “asset management strategy” with “*asset management strategy*”.

[11] Clause S7.6.1 General

After clause S7.6.1(f), insert:

- (g) *AEMO* must, in accordance with the *Rules consultation procedures*, develop, maintain and *publish* guidelines for the development and approval of *asset management strategies* by *Metering Coordinators* that meet the Asset Management Strategy Objective (***Asset Management Strategy Guidelines***).
- (h) The *Asset Management Strategy Guidelines* must include a description of:
 - (1) the information that *AEMO* requires *Metering Coordinators* to include in an *asset management strategy* and the information that *AEMO* will make available during the *asset management strategy* approval process;
 - (2) the process for submission of a proposed *asset management strategy* to *AEMO* for approval and the relevant time frames for assessing the proposal; and
 - (3) the criteria that *AEMO* will consider when deciding whether to approve a proposed *asset management strategy*.
- (i) *AEMO* may, from time to time, amend the Asset Management Strategy Guidelines in accordance with the *Rules consultation procedures*.
- (j) *AEMO* is not required to comply with the *Rules consultation procedures* when making minor or administrative amendments to the *Asset Management Strategy Guidelines*.

Asset Management Strategy Objective

- (k) The objective of an *asset management strategy* (**Asset Management Strategy Objective**) is for *Metering Coordinators* to have a testing and inspection strategy in place to reliably test *metering installation* accuracy and identify *metering installation* condition faults in a reasonable period, having regard to the costs and benefits to consumers.

Developing the Asset Management Strategy Guidelines

- (l) In making or amending the *Asset Management Strategy Guidelines*, *AEMO*:
 - (1) must take into account the following:
 - (i) whether the requirements in the *Asset Management Strategy Guidelines* are effective and proportionate to the expected benefits resulting from achieving the Asset Management Strategy Objective; and
 - (ii) new technologies and designs of *metering installations* and innovations in equipment and processes used to verify *metering installation* accuracy and condition.

- (2) may take into account any other matters that *AEMO* considers relevant to the Asset Management Strategy Objective.

[12] Table S7.6.1.2 Maximum Period Between Tests

In Table S7.6.1.2, omit the first paragraph and substitute:

Unless the *Metering Coordinator*:

- (a) has an *asset management strategy* in place that has been approved by *AEMO*; or
- (b) the relevant *metering installation* is a *Legacy Meter* covered by a *Legacy Meter Replacement Plan* under rule 11.[XXX].2,

the maximum period between tests must be in accordance with this Table S7.6.1.2.

[13] Table S7.6.1.2 Maximum Period Between Tests

In Table S7.6.1.2, omit “The testing and inspection requirements must be in accordance with an asset management strategy. Guidelines for the development of the asset management strategy must be recorded in the metrology procedure” and substitute “The testing requirements must be in accordance with an *asset management strategy*”.

[14] Table S7.6.1.3 Period Between Inspections

In Table S7.6.1.3, omit the first paragraph and substitute:

Unless the *Metering Coordinator*:

- (a) has an *asset management strategy* in place that has been approved by *AEMO*; or
- (b) the relevant *metering installation* is a *Legacy Meter* covered by a *Legacy Meter Replacement Plan* under clause 11.[XXX].2,

the period between inspections must be in accordance with this Table S7.6.1.3.

[15] Table S7.6.1.3 Period Between Inspections

In Table S7.6.1.3, omit “When *meter* is tested” and substitute “In accordance with an *asset management strategy*”.

[16] Chapter 10 Glossary

In Chapter 10, insert the following new definitions in alphabetical order:
asset management strategy

An asset management strategy approved under clause S7.6.1.

Asset Management Strategy Guidelines

Guidelines developed, maintained and *published* by *AEMO* under clause S7.6.1(g).

family failure

A *metering installation malfunction* that is identified through sample or statistical testing conducted pursuant to an *asset management strategy*.

individually identified malfunction

A *metering installation malfunction* that is not identified through sample or statistical testing conducted pursuant to an *asset management strategy*.

Legacy Meter

Means any type 5 and 6 *metering installations* in operation.

Legacy Meter Retirement Replacement Plan or LMRP

A Legacy Meter Replacement Plan as defined in clause 11.[XXX].1.

Shared Fusing Meter Replacement Procedure

The procedure set out in clause 7.8.10D.

Schedule 2 Amendment to the National Electricity Rules

(Clause 4)

[1] Clause 7.1.1 Introduction to the Metering Chapter

In clause 7.1.1(g), after “held in *metering installations* and *metering data*”, insert “and *power quality data*”.

[2] Clause 7.3.1 Responsibility of the Metering Coordinator

Omit clause 7.3.1(a)(2), and substitute:

- (2) except as otherwise specified in clause 7.5.1(a), collection of *metering data* and *power quality data* with respect to the *metering installation*, the processing of that data, retention of *metering data* in the *metering data services database*, the delivery of the *metering data* to the *metering database* and the delivery of *metering data* and *power quality data* to other persons in accordance with Part E of this Chapter 7; and

[3] Clause 7.3.1 Responsibility of the Metering Coordinator

Omit clause 7.3.1(a)(3), and substitute:

- (3) managing access to and the security of the *metering installation*, services provided by the *metering installation*, *energy data* held in the *metering installation*, and *metering data* and *power quality data* from the *metering installation* in accordance with Part F of this Chapter 7.

[4] Clause 7.3.1 Responsibility of the Metering Coordinator

After clause 7.3.1(a), insert:

- (a1) A *Metering Coordinator* is not required to comply with the obligations relating to *power quality data* under paragraph (a)(2) in relation to *metering installations* that are not technically capable of supporting the collection and remote communication of *power quality data*.

[5] Clause 7.10.1 Metering data services

After clause 7.10.1(a)(1), insert the following new provision:

- (1A) collecting *power quality data*;

[6] Clause 7.10.1 Metering data services

After clause 7.10.1(a)(4A), insert the following new provision:

- (4AA) to the extent required necessary, the validation and substitution of *power quality data*;

[7] Clause 7.10.1 Metering data services

In clause 7.10.1(a)(6), after “delivery of *metering data*”, insert “, *power quality data*”.

[8] Clause 7.10.1 Metering data services

Omit clause 7.10.1(a)(8), and substitute:

- (8) ensuring the *metering data*, *power quality data* and other data associated with the *metering installation* is protected from local access or remote access while being collected and *metering data* while held in the *metering data services database*, and that *data* is provided only in accordance with the *Rules*;

[9] Clause 7.10.2 Data management and storage

After clause 7.10.2(e), insert the following new provision:

- (e1) If the *Metering Data Provider* becomes aware that the *power quality data* that has been delivered to a person in accordance with clause 7.15.5(c2) is incorrect, then the *Metering Data Provider* must provide corrected *power quality data* to the persons referred to in clause 7.15.5(c2).

[10] Clause 7.10.3 Provision of metering data to certain persons

After clause 7.10.3(a), insert the following new provision:

- (a1) The *Metering Data Provider* must provide *power quality data* from *small customer metering installations* to the persons referred to in clause 7.15.5(c2) as required by and in accordance with the *Rules* and procedures authorised by *AEMO* under this Chapter 7.

Note

The AEMC proposes to recommend that clause 7.10.3(a1) be classified as a Tier 2 civil penalty provision under the National Electricity (South Australia) Regulations. (See clause 6(1) and Schedule 1 of the National Electricity (South Australia) Regulations.)

[11] Clause 7.10.3 Provision of metering data to certain persons

Omit clause 7.10.3(b), and substitute:

- (b) *AEMO* must ensure that the procedures it authorises under this Chapter 7 do not require the *Metering Data Provider* to provide *metering data, power quality data* or relevant *NMI Standing Data* to a person under paragraphs (a) or (a1) except to the extent that such *metering data, power quality data* or relevant *NMI Standing Data* is required by that person to perform its obligations under the *Rules*, the *NERR* or *jurisdictional electricity legislation*.

[12] Clause 7.15.1 Confidentiality

In clause 7.15.1(a), after “*Energy data, metering data*” insert “, *power quality data*,”.

[13] Clause 7.15.1 Confidentiality

After clause 7.15.1(b), insert the following new provision:

- (c) For the purposes of clause 8.6.2(c), *power quality data* from a *metering installation* at a *retail customer's connection point* is deemed to have been provided by the *retail customer*.

[14] Clause 7.15.4 Additional security controls for small customer metering installations

After clause 7.15.4(b), insert the following new provision:

- (b1) the *Metering Coordinator* must ensure that *power quality data* from a *metering installation* is only given to a person and for a purpose that is permitted under the *Rules*.

[15] Clause 7.15.5 Access to energy data

In clause 7.15.5(b), after “ensure that access to *energy data*”, insert “and *power quality data*,”.

[16] Clause 7.15.5 Access to energy data

After clause 7.15.5(c1), insert the following new provision:

- (c2) Only the *Local Network Service Provider* in respect of a *small customer metering installation* and *AEMO* may receive *power quality data* for a *metering installation*.

[17] Clause 7.16.3 Requirements of the metrology procedure

In clause 7.16.3(a)(6)(i), after “substitution of *metering data*”, including “and, to the extent necessary, *power quality data*”.

[18] Clause 7.16.6 Service level procedures

In clause 7.16.6(c)(2), after “delivery of *metering data*” insert “and *power quality data*”.

[19] Clause 7.16.6 Service level procedures

In clause 7.16.6(c)(3), after “delivery of *metering data*” insert “and *power quality data*”.

[20] Clause 7.16.6 Service level procedures

In clause 7.16.6(c)(4), after “delivery of *metering data*” insert “and *power quality data*”.

[21] Clause 7.16.6 Service level procedures

In clause 7.16.6(c), after subparagraph (8), insert new subparagraph (9) and (10) as follows and renumber the remaining sub-paragraphs:

- (9) the appropriate service levels for *power quality data*;
- (10) the processes and procedures for sharing *power quality data* in accordance with the *Rules*;

[22] Chapter 10 Glossary

In Chapter 10, insert the following definition in alphabetical order:

power quality data

The characteristics of the power supply as measured by the *meter*, which includes measurements of voltage (in volts), current (in amperes), and power factor (expressed as the ratio of the active power kW to the apparent power kVA or as a phase angle).

[23] Chapter 10 Glossary

In Chapter 10, in the definition of "*metering data services*", after “storage and delivery of *metering data*”, insert “and *power quality data*”.

Schedule 3 Savings and Transitional Amendment to the National Electricity Rules

(Clause 5)

[1] Chapter 11 Savings and Transitional Amendments to the National Electricity Rules

In Part ZZZZZI, after rule 11.[XXX], insert a new rule as follows:

11.[XXX] Rules consequential on making of the National Electricity Amendment (Accelerating smart meter deployment) Rule 2024

11.[XXX].1 Definitions

Affected Retailer means, in relation to a *LMRP*, a *retailer* that is the *financially responsible Market Participant* for one or more *connection points* where a *Legacy Meter* is to be replaced under that *LMRP*.

Amending Rule means the *National Electricity Amendment (Accelerating smart meter deployment) Rule 2024*.

Interim Period means each *financial year* within the *LMRP Period*.

Interim Target means the target for replacement of *Legacy Meters* in each *Interim Period* made available to an *Affected Retailer* in accordance with clause 11.[XXX].6.

Legacy Meter means any type 5 and 6 *metering installations* in operation at the commencement of the *LMRP Period*.

Legacy Meter Replacement Plan (LMRP) means a plan developed and published by a *Local Network Service Provider* under clause 11.[XXX].2.

LMRP Objective means the replacement of all *Legacy Meters* with type 4 *metering installations* in a timely, cost effective, fair and safe way during the *LMRP Period*.

LMRP Period means 1 July 2025 to 30 June 2030.

LMRP Principles means the principles set out in clause 11.[XXX].2(c).

LMRP Requirements means the requirements for a *LMRP* set out in clauses 11.[XXX].2 and 11.[XXX].3.

market body means each of AEMO and the AER

Material Change Event means a change in circumstances or event that is beyond the reasonable control of the *Local Network Service Provider* or *Affected Retailer* which could not have been reasonably foreseen at the time of the development of the *LMRP* and which would materially adversely affect the *Affected Retailer's* ability to comply with the *LMRP*.

Material Error means an error which would materially adversely affect the *Affected Retailer's* ability to comply with the *LMRP*.

Replacement Deadline means 30 June 2030.

Resubmission Notice means a notice issued by the *AER* to a *Local Network Service Provider* requiring it to resubmit an amended *LMRP* under clauses 11.[XXX].4(f) or 11.[XXX].5(f) and explaining why the *AER* considers the *LMRP* to be non-compliant with the *LMRP* Requirements.

11.[XXX].2 Legacy Meter Replacement Plans

- (a) A *Local Network Service Provider* must develop and submit to the *AER* for approval, a *LMRP* that provides for the replacement of all Legacy Meters at *connection points* on its *distribution network* (other than an *embedded network*) over the *LMRP* Period in accordance with the *LMRP* Objective.
- (b) The *LMRP* must include a description of the planned replacement program and the process for its development, including:
 - (1) an outline of the replacement profile over the *LMRP* Period, including:
 - (i) the total number of *Legacy Meters* to be replaced and corresponding *NMIs* and the number to be replaced in each Interim Period;
 - (ii) if the *LMRP* proposes to replace *Legacy Meters* by reference to groups of *Legacy Meters* such as any grouping by postcodes or geographical areas, details of the proposed grouping, including which groups are intended to be replaced in each Interim Period;
 - (2) an explanation of how the *LMRP* is consistent with the *LMRP* Objective and how the *Local Network Service Provider* has had regard to the *LMRP* Principles;
 - (3) a description of:
 - (i) how the *Local Network Service Provider* has engaged with relevant stakeholders (including Affected Retailers, relevant *Metering Coordinators*, relevant local and state governments, and distribution end users or groups representing them in developing the *LMRP*);
 - (ii) the relevant concerns identified as a result of that engagement; and
 - (iii) how the *Local Network Service Provider* has sought to address those concerns.
- (c) In developing the *LMRP*, a *Local Network Service Provider* must have regard to the following matters (**LMRP Principles**):
 - (1) the number of Legacy Meters planned for replacement in each Interim Period should be between approximately 15–25 per cent

of the total number of *Legacy Meters* required to be replaced under the *LMRP*;

- (2) the overall efficiency of the *LMRP*, including costs and potential cost savings for affected *Market Participants*;

Note

For example, *Legacy Meters* may be most efficiently retired in geographic groupings, such as by postcode, zone substation or meter reading route.

- (3) the impact of the *LMRP* on Affected Retailers and other affected stakeholders;
- (4) appropriate and efficient workforce planning, including in regional areas.

11.[XXX].3 Consultation regarding Legacy Meter Replacement Plans

- (a) By no later than 30 September 2024, and prior to submitting its proposed *LMRP* to the *AER*, a *Local Network Service Provider* must:
 - (1) provide to Affected Retailers and *Metering Coordinators* a draft of its *LMRP*;
 - (2) provide to Affected Retailers and *Metering Coordinators* a schedule specifying the *Legacy Meters* and corresponding *NMIs* to be replaced in each Interim Period under the *LMRP*;
 - (3) invite feedback on the draft *LMRP*.

11.[XXX].4 Approval of Legacy Meter Replacement Plan by AER

- (a) Following consultation under rule 11.[XXX].3, and no later than 31 January 2025, a *Local Network Service Provider* must provide its draft *LMRP* to the *AER*.
- (b) The *AER* must either approve the *LMRP* or issue a Resubmission Notice to the *Local Network Service Provider*, in accordance with the process set out at paragraphs (c) to (f) by 31 March 2025.
- (c) If the *AER* is satisfied that the *LMRP* complies with the *LMRP* Requirements, it must approve the *LMRP*, and *publish* a copy of the approved *LMRP* on its website within 10 *business days* of approving the *LMRP*.
- (d) If the *AER* approves the *LMRP* under paragraph (c), the *Local Network Service Provider* must:
 - (1) as soon as reasonably practicable and in any event within 20 *business days*:
 - (i) notify Affected Retailers and *Metering Coordinators*; and

- (ii) provide to Affected Retailers and *Metering Coordinators* a schedule specifying the *Legacy Meters* and corresponding *NMIs* to be replaced in each Interim Period under the *LMRP*; and
 - (2) by no later than 29 June 2025, record relevant details of the *LMRP* in accordance with the *Market Settlement and Transfer Solution Procedures*.
- (e) If the *AER* is not satisfied that the *LMRP* complies with the LMRP Requirements:
 - (1) it must not approve the *LMRP*; and
 - (2) as soon as practicable after making its decision, it must issue a Resubmission Notice to the *Local Network Service Provider*.
- (f) Following receipt of a Resubmission Notice, a *Local Network Service Provider* must resubmit its *LMRP* to the *AER*, in an amended form that complies with the relevant LMRP Requirements and addresses the defects identified in the Resubmission Notice. The *Local Network Service Provider* must resubmit within either:
 - (1) 15 *business days* after receiving the Resubmission Notice; or
 - (2) such other timeframe as may be specified in the Resubmission Notice, if the *AER* considers that a period longer than 15 *business days* is necessary and appropriate in the circumstances.
- (g) Following receipt of an updated *LMRP* pursuant to a Resubmission Notice, the *AER* must either approve the *LMRP* or issue a Resubmission Notice, in accordance with paragraphs (c) to (f).

11.[XXX].5 Amending an approved Legacy Meter Replacement Plan

- (a) An Affected Retailer may apply to the *Local Network Service Provider* for amendment of a *LMRP* that has been approved under rule 11.[XXX].4 (**Approved LMRP**), but only if the Approved LMRP is affected by a:
 - (1) Material Error; or
 - (2) Material Change Event.
- (b) An Affected Retailer's application for amendment of an Approved LMRP (**Amendment Application**) must set out:
 - (1) the nature, and details, of the Material Error or Material Change Event; and
 - (2) reasons why a failure to amend the *LMRP* would be likely to materially adversely affect the ability of the Affected Retailer to comply with its obligations under the *LMRP*.

- (c) If, after receiving the Amendment Application, the *Local Network Service Provider* reasonably considers that there has been a Material Error or Material Change Event, it may amend the *LMRP*.
- (d) If the *Local Network Service Provider* decides to amend the *LMRP* under paragraph (c), it:
 - (1) may either accept amendments proposed by the Affected Retailer or it may propose its own amendments to address the Material Error or Material Change Event; and
 - (2) must *publish* and consult on the proposed amendments to the *LMRP*, in accordance with the process set out above at rule 11.[XXX].3.
- (e) Following consultation, the *Local Network Service Provider* must provide the proposed amended *LMRP* to the *AER* for approval, along with an updated explanation of the matters set out at clauses 11.[XXX].2(b)(2) and (3).
- (f) The *AER* must either approve, or issue a Resubmission Notice in relation to, the proposed amended *LMRP* within 20 *business days* of receiving the amended *LMRP*, in accordance with the process set out at rules 11.[XXX].4(c) to 11.[XXX].4(g).
- (g) If the *AER* approves the proposed amended *LMRP*, the *Local Network Service Provider* must, as soon as reasonably practical and in any event within 20 business days:
 - (1) notify Affected Retailers and *Metering Coordinators*; and
 - (2) record relevant details of the amended *LMRP* in accordance with the *Market Settlement and Transfer Solution Procedures*.

11.[XXX].6 Interim Targets

- (a) No later than 3:00 pm on the day immediately prior to commencement of each Interim Period, an Interim Target must be made available to each Affected Retailer for the upcoming Interim Period and for each other Interim Period remaining in the *LMRP* Period in accordance with the *Market Settlement and Transfer Solution Procedures*.
- (b) Each Interim Target must identify the *connection point* and corresponding *NMI* for each *Legacy Meter* to be replaced in the Interim Period under the *LMRP*, for which the Affected Retailer is the *financially responsible Market Participant* at the time the Interim Target is made available.
- (c) Interim Targets must include all of the *Legacy Meters* to be replaced in the relevant Interim Period under the *LMRP*.
- (d) An Affected Retailer must use its best endeavours to ensure that it meets its Interim Targets for each Interim Period.

11.[XXX].7 Affected Retailer compliance with the Replacement Deadline

- (a) Subject to paragraph (b), an Affected Retailer must ensure that all *Legacy Meters* at *connection points* for which it is the *financially responsible Market Participant* at the Replacement Deadline are replaced no later than the Replacement Deadline, unless the Affected Retailer has a reasonable explanation for failing to meet the Replacement Deadline.
- (b) Where a *small customer* switches *retailers* during the final Interim Period but before a *Legacy Meter* at the *small customer's connection point* is replaced, the incoming *retailer* must ensure the *Legacy Meter* is replaced by the later of:
 - (1) the Replacement Deadline; or
 - (2) six months after the *small customer* switches *retailers*.

Note

The AEMC proposes to recommend that clause is classified as a Tier 1 civil penalty provision under the National Electricity (South Australia) Regulations. (See clause 6(1) and Schedule 1 of the National Electricity (South Australia) Regulations.)

11.[XXX].8 Reporting

- (a) Affected Retailers must report to the *AER* on their compliance with the *LMRP* for each Interim Period by no later than 31 July of the year in which the Interim Period the subject of the report ends, including:
 - (1) the number of *Legacy Meters* that the Affected Retailer replaced, and the percentage of the Interim Target that was achieved;
 - (2) the number of *Legacy Meters* that the Affected Retailer gained from customers switching from another *retailer* during the Interim Period, and the percentage of those *Legacy Meters* that were replaced with type 4 *metering installations*;
 - (3) the number of *Legacy Meters* that the Affected Retailer is required to replace for each future Interim Period;
 - (4) the number of *Legacy Meters* that were due to be replaced in a prior Interim Period but had not been replaced in accordance with the *LMRP*, and the percentage of those *Legacy Meters* that were replaced with type 4 *metering installations* during the Interim Period; and
 - (5) an explanation of the Affected Retailer's performance against the Interim Targets and, if there is any non-compliance with the *LMRP*, an outline of the Affected Retailer's plan to remediate non-compliance and meet the overall Replacement Deadline.

- (b) An Affected Retailer's reporting for the final Interim Period must include, in addition to the information specified in paragraph (a):
 - (1) the total number of *Legacy Meters* that the Affected Retailer replaced over the LMRP Period;
 - (2) whether the Affected Retailer has complied with the obligation in clause 11.[XXX].7(a) and reasons for any non-compliance;
 - (3) the Affected Retailer's plans to replace any *Legacy Meters* that had not yet been replaced as at the Replacement Deadline.
- (c) Affected Retailers must report to the *AER* on their compliance with the *LMRP* by no later than 31 March 2031, including:
 - (1) how many *Legacy Meters* the Affected Retailer replaced during the LMRP Period;
 - (2) the percentage of *Legacy Meters* that the Affected Retailer replaced relative to each of its Interim Targets;
 - (3) whether all *Legacy Meters* at *connection points* for which the Affected Retailer was the *financially responsible Market Participant* at the Replacement Deadline have been replaced at the time of reporting, and to the extent that any *Legacy Meters* have not been replaced:
 - (i) the number that were not replaced; and
 - (ii) the reasons why those *Legacy Meters* were not replaced.
- (d) For each Interim Period, as part of its retail market performance report required under section 284 of the *NERL*, the *AER* must report on the Affected Retailers' compliance with the Interim Targets and progress against the LMRP Objective.
- (e) As part of its retail market performance report required under section 284 of the *NERL* for the *financial year* ending 30 June 2031, the *AER* must report on Affected Retailers' compliance with the Replacement Deadline and whether the LMRP Objective has been met.

11.[XXX].9 Prohibition on retailers charging upfront costs and exit fees for Legacy Meter replacement

- (a) Affected Retailers must not impose on *small customers* any upfront charges or exit fees in relation to the replacement of a *Legacy Meter* that is replaced pursuant to a *LMRP*.
- (b) The prohibition set out in paragraph (a) does not apply to type 4 *metering installations* not covered by a *LMRP* or where the *Legacy Meter* replacement is the result of the *small customer* installing plant at the site.
- (c) This clause 11.[XXX].9 expires on 31 December 2030.

11.[XXX].10 NMI Standing Data deeming provision

- (a) During the LMRP Period, information covered by clause 11.[XXX].4(d) is deemed to be *NMI Standing Data*.

11.[XXX].11 Amendments to Market Settlement and Transfer Solution Procedures

- (a) By no later than 30 May 2025, and in accordance with the *Rules consultation procedures*, AEMO must review and amend the *Market Settlement and Transfer Solution Procedures* to specify:
 - (1) the information that must be recorded by a *Metering Coordinator* where it identifies a site defect during a site visit to replace a *Legacy Meter*; and details of which parties may access that data, which must be restricted to the *financially responsible Market Participant*;
 - (2) the information that must be recorded by an Affected Retailer when it has issued notices under rule 59AAA(b) and (c) of the *NERR*; and
 - (3) the information that must be recorded by a *Local Network Service Provider* in relation to an approved *LMRP*.
- (b) After 31 December 2030, AEMO may amend the *Market Settlement and Transfer Solution Procedures* to remove the information outlined in subparagraph (a)(3).

11.[XXX].12 Amendments to documents published under the Rules

- (a) By 22 January 2025, each market body must review and, where the market body considers it necessary or desirable, amend and publish procedures, guidelines and other documents made by the market body under the *Rules* to take into account the Amending Rule.
- (b) In amending the documents referred to in paragraph (a), the market body must follow the process for amending those documents (if any) specified in the *Rules*.
- (c) A market body may make minor or administrative amendments to the documents referred to in paragraph (a) without following the process for amending those documents (if any) specified in the *Rules*.
- (d) Amendments made in accordance with paragraph (a) must take effect on and from 22 January 2025, or any earlier time specified by the relevant market body.

11.[XXX].13 Asset Management Strategy Guidelines

- (a) By 22 January 2025, AEMO must develop and *publish* the initial *Asset Management Strategy Guidelines*.

[END OF RULE AS MADE]
