

ELECTRICITY INDUSTRY ACT 2004
ELECTRICITY INDUSTRY (WHOLESALE ELECTRICITY - MARKET)
REGULATIONS 2004
Wholesale Electricity Market Rules

IMO AMENDING RULES RC_2010_31 MADE ON 19 August 2011

These Amending Rules commence at 08.00am on 1 March 2012

The following clauses are amended (~~deleted wording~~, new wording):

2.17.1. Decisions by the IMO made under the following clauses are Reviewable Decisions:

- (a) clause 2.3.8;
- (aA) clause 2.5.9;
- (aB) clause 2.6.4(f);
- (aC) clause 2.7.8(e);
- (aD) clause 2.10.13;
- (aE) clause 2.10.14;
- (b) clause 2.13.28;
- (c) clause 2.28.16;
- (d) clauses 2.30.4 and 2.30.8;
- (e) clause 2.31.10;
- ~~(eA) Clause 2.32.7E(b);~~
- (f) clause 2.34.7;
- (g) clause 2.34.11;
- (h) clauses 2.37.1 to 2.37.3;
- (i) clause 2.37.6 and 2.37.7;
- (j) clause 4.9.9;
- (k) clause 4.15.1;
- (l) clause 4.27.7;
- (m) clause 4.28.7;
- (n) clauses 5.2.6 and 5.2.7;
- (o) clause 5.3.6; and
- (p) clause 10.2.1.

2.31.13. The IMO may only reject an application if:

- (e) in the case of an application to register as a Rule Participant in any class where the person has previously been de-registered as a Rule Participant following an order from the Electricity Review Board or de-registered by the IMO under clause 2.32.7E(b), the IMO is not satisfied that person has remedied the reason for or underlying cause of the prior de-registration;

2.32.7A. The IMO may at any time review whether a Rule Participant registered in the classes outlined in clause 2.28.1(b) or (c) continues to meet all of the criteria specified in clause 2.28.19.

2.32.7B. If the IMO becomes aware that a Rule Participant registered in the classes outlined in clause 2.28.1(b) or (c) no longer meets all of the criteria specified in clause 2.28.19, the IMO may issue a Registration Correction Notice to that Rule Participant.

2.32.7C. Each Registration Correction Notice must:

- (a) specify which of the criteria specified in clause 2.28.19 the IMO considers the Rule Participant no longer meets;
- (b) require that the Rule Participant:
 - i. correct the circumstances that have led to it no longer meeting all of the criteria specified in clause 2.28.19 and provide evidence to the IMO that it has done so; or
 - ii. provide evidence to the IMO that it continues to meet all of the criteria specified in clause 2.28.19;
- (c) specify a date and time for the Rule Participant to respond to the Registration Correction Notice, which must be at least 90 days from the date of the Registration Correction Notice; and
- (d) specify a date and time from which the de-registration of the Rule Participant will become effective, should that Rule Participant not provide evidence in response to the Registration Correction Notice that is satisfactory to the IMO.

2.32.7D. Where the IMO has issued a Registration Correction Notice it may extend the deadline for:

- (a) correcting the circumstances that are the subject of the notice; or
- (b) responding to the notice

for any period that it considers is appropriate in the circumstances.

2.32.7E. The IMO must consider any evidence or submissions provided by a Rule Participant in response to a Registration Correction Notice and determine whether:

- (a) it is satisfied that the Rule Participant meets all of the criteria specified in clause 2.28.19. If so, the IMO will notify the Rule Participant that no further action will be taken; or
- (b) it is not satisfied that the Rule Participant meets all of the criteria specified in clause 2.28.19. If so, the IMO will issue a De-registration Notice notifying the Rule Participant that it will cease to be registered from the date and time specified in the De-registration Notice and the Rule Participant will cease to be registered with effect from that date and time.

2.32.7F. Where the IMO de-registers a Rule Participant it must also de-register all of the Facilities registered by the Rule Participant by the time specified in the De-registration Notice. For the avoidance of doubt, the IMO must not de-register a Rule Participant, if that Rule Participant holds Capacity Credits for any of its Facilities.

Chapter 11: Glossary

De-registration Notice: means the notice issued by the IMO under clause 2.32.7E(b).

Registration Correction Notice: means a notice issued by the IMO under clause 2.32.7B.