

WHOLESALE ELECTRICITY MARKET

Submission to Procedure Change Proposal

EEPC_2020_01

Procedure Change Proposal: Monitoring Protocol

Submitted by	
Name:	Elizabeth Aitken
Phone:	(08) 9420 0347
Fax:	
Email:	e.aitken@perthenergy.com.au
Organisation:	Perth Energy
Address:	Level 24, 221 St Georges Terrace Perth WA, 6000
Date submitted:	29 June 2020

Submission

Clause 2.10.7 of the Wholesale Electricity Market Rules provides that any person may make a submission for a Procedure Change Proposal (including proposals developed by AEMO, the Economic Regulation Authority or the Rule Change Panel) by completing this Procedure Change Submission form.

Submissions should be provided by email to the nominated contact in the call for submissions published with the Procedure Change Proposal.

Please provide your views on the Procedure Change Proposal, including any objections or suggested revisions

Perth Energy notes the Economic Regulation Authority's proposed changes largely reflect the procedural processes required in relation to the Rule Change Proposal: ERA access to market information and SRMC investigation process (RC_2018_05).

Perth Energy support the proposed changes that are designed to provide greater transparency and procedural fairness under the Wholesale Electricity Market (WEM) Rules. We recommend the ERA makes the following further amendments to further this objective:

- The Monitoring Protocol should provide detail how these new requirements will be achieved such as establishing minimum timeframe requirements or criteria the ERA must take into account when considering the amount of time provided for a Rule Participant to respond to the allegations.
- Clause 2.1.9 of the Monitoring Protocol states the ERA will "give notice of the ERA's preliminary findings" to the Rule Participant. This should be amended to not only include the findings, but also the basis on which these findings were determined. This will ensure the Rule Participant is able to respond to the allegations with all relevant information and analysis that led to this conclusion.
- An additional clause should be inserted into the Monitoring Protocol at clause 4.1.7 (b) to ensure that:
 - where the ERA has made an interpretation of the meaning of a term or word or concept used in the WEM Rules that is not defined in those rules; and
 - that interpretation is a key determinant in the allegation of a breach by a Rule Participant,

the ERA must provide that determination and its rationale to the Rule Participant in breach to allow it to respond. The ERA must publish that definition to ensure continuity in application and must have that definition considered by the Rule Change Panel for inclusion in the WEM Rules.

Please provide an assessment whether the Procedure Change Proposal is consistent with the Market Objectives and the Wholesale Electricity Market Rules.

If the Monitoring Protocol is further amended as recommended by Perth Energy, we consider it will be consistent with the Wholesale Market Objectives.

Our proposed further amendments are important to ensure procedural fairness, as introduced by the Minister for Energy.

Please indicate if the Procedure Change Proposal will have any implications for your organisation (for example changes to your IT or business systems) and any costs involved in implementing these changes.

Perth Energy's operations and systems will not be impacted by the proposed changes to the Monitoring Protocol.

Please indicate the time required for your organisation to implement the changes, should they be accepted as proposed.

Perth Energy's operations and systems will not be impacted by the proposed changes to the Monitoring Protocol.