

Electricity Industry Participation Code Amendment (Distributed Generation) 2014

Pursuant to section 38 of the Electricity Industry Act 2010, and having complied with section 39 of that Act, I make the following amendments to the Electricity Industry Participation Code 2010.

At Wellington on the 15th day of August 2014



Dr Thomas Brent Layton
Chairperson
Electricity Authority

Certified in order for signature:



Andrew Springett
Senior Legal Counsel
Electricity Authority



Tony Dellow
Partner
Buddle Findlay

15 August 2014

15 August 2014

Contents

1	Title	3
2	Commencement	3
3	Code amended	3
4	Clause 1.1 amended (Interpretation)	3
5	Clause 6.1 amended (Contents of this Part)	5
6	Clause 6.2 amended (Purpose)	6
7	Clause 6.3 amended (Distributors must make information publicly available)	6
8	Clause 6.4 replaced (Process for obtaining approval to connect)	6
	6.4 Process for obtaining approval	6
	6.4A Distributor and distributed generator may agree to simpler process for existing connection	7
9	Clause 6.5 amended (Connection contract outside regulated terms)	7
10	Clause 6.6 amended (Connection on regulated terms)	7
11	Clause 6.7 amended (Extra terms)	7
12	Clause 6.8 amended (Dispute resolution)	8
13	Clause 6.9 amended (Pricing principles)	8

14	Clause 6.10 revoked (Application of this Part to persons other than distributors and distributed generators)	8
15	Clause 6.11 amended (Distributors must act at arms length)	8
16	Clause 6.13 replaced (Regulations do not apply to earlier connections)	8
	6.13 This Part does not apply to earlier connections	8
17	Heading above Schedule 6.1 amended	8
18	New cross heading and Schedule 6.1, clauses 1A to 1D inserted	8
19	Schedule 6.1, Part 1 heading amended	9
20	Schedule 6.1, clause 1 amended	9
21	Schedule 6.1, clause 2 amended	10
22	Schedule 6.1, clause 3 amended	11
23	Schedule 6.1, clause 4 amended	11
24	Schedule 6.1, clause 5 amended	11
25	Cross heading above Schedule 6.1, clause 6 amended	12
26	Schedule 6.1, clause 6 amended	12
27	Schedule 6.1, clause 7 amended	12
28	Schedule 6.1, clauses 8 and 9 replaced	12
29	Schedule 6.1, Part 1A inserted	13
30	Heading above Schedule 6.1, Part 2 amended	17
31	Schedule 6.1, clause 10 amended	17
32	Schedule 6.1, clause 11 amended	17
33	Schedule 6.1, clause 12 amended	18
34	Schedule 6.1, clause 13 amended	19
35	Schedule 6.1, clause 14 amended	19
36	Schedule 6.1, clause 15 amended	19
37	Schedule 6.1, clause 16 replaced	19
38	Schedule 6.1, clause 17 amended	19
39	Schedule 6.1, clause 18 amended	20
40	Schedule 6.1, clause 19 amended	20
41	Schedule 6.1, clause 20 replaced	21
42	Cross heading above Schedule 6.1, clause 21 amended	21
43	Schedule 6.1, clause 21 amended	21
44	Schedule 6.1, clause 22 amended	22
45	Schedule 6.1, clauses 23 and 24 replaced	22
46	Schedule 6.1, clause 25 amended	23
47	Schedule 6.1, clause 28 replaced	24
48	New cross heading and Schedule 6.1, clause 29 inserted	24
49	Heading above Schedule 6.2 amended	24
50	Schedule 6.2, clause 1 amended	25
51	Schedule 6.2, clause 3 amended	25
52	Schedule 6.2, clause 4 amended	25
53	Schedule 6.2, clause 8 amended	25
54	Schedule 6.2, clause 9 amended	25
55	Schedule 6.2, clause 11 amended	25

56	Schedule 6.2, clause 12 amended	25
57	Schedule 6.2, clause 13 amended	26
58	Schedule 6.2, clause 14 amended	26
59	Schedule 6.2, clause 15 amended	26
60	New cross heading and Schedule 6.2, clause 15A inserted	26
61	Schedule 6.2, clause 19 amended	27
62	Schedule 6.2, clause 20 amended	27
63	Schedule 6.2, clause 21 amended	27
64	Schedule 6.2, clause 22 amended	27
65	Schedule 6.2, clause 23 amended	27
66	Schedule 6.2, clause 24 revoked	27
67	Schedule 6.2, clause 25 amended	27
68	Schedule 6.3, clause 1 replaced	27
69	Schedule 6.4, clause 1 amended	27
70	Schedule 6.4, clause 2 amended	27
71	Schedule 6.4, clause 3 revoked	28
72	Schedule 6.5, clause 1 revoked	28
73	Schedule 6.5, clause 2 replaced	28
74	Schedule 11.1, clause 7 amended	29
75	Terms replaced in the Electricity Industry Participation Code 2010	29

Amendment

1 Title

This is the Electricity Industry Participation Code Amendment (Distributed Generation) 2014.

2 Commencement

This amendment comes into force on 23 February 2015.

3 Code amended

This amendment amends the Electricity Industry Participation Code 2010.

4 Clause 1.1 amended (Interpretation)

- (1) In clause 1.1(1), definition of **associated equipment**, replace "**electrical installation**" with "**consumer installation**".
- (2) In clause 1.1(1), definition of **connect**,—
 - (a) replace "connected" with "**electrically connected**" in each place; and
 - (b) after "is **electrically connected** to a **distribution network**", insert ", and **connected, connection, and connecting** have corresponding meanings".
- (3) In clause 1.1(1), definition of **connection and operation standards**, replace—
 - (a) "connected to the **distribution network**" with "**connected**"; and
 - (b) "reasonable and prudent operating practice" with "**reasonable and prudent operating practice**".
- (4) In clause 1.1(1), replace the definition of—

- (a) **consumer installation** with—
 - "**consumer installation**, for the purposes of the definitions of **associated equipment**, **connect**, and Part 6, means—
 - "(a) all fittings that are part of a system for conveying **electricity** from a **consumer's point of supply** to any point from which **electricity** conveyed through that system may be consumed; and
 - "(b) includes any fittings that are used, or designed or intended for use, by any person in or in connection with the generation of **electricity**—
 - "(i) for that person's use and not for supply to any other person; or
 - "(ii) so that **electricity** can be injected into a **distribution network**; but
 - "(c) does not include any appliance that uses, or is designed or intended to use, **electricity**, whether or not it also uses, or is designed or intended to use, any other form of energy"; and
- (b) **distributed generation** with—
 - "**distributed generation** means **generating plant** that is **connected**, or proposed to be **connected**, but does not include—
 - "(a) **generating plant connected** and operated by a **distributor** for the purpose of maintaining or restoring the provision of **electricity** to part or all of the **distributor's distribution network**—
 - "(i) as a result of a planned **distribution network** outage; or
 - "(ii) as a result of an unplanned **distribution network** outage; or
 - "(iii) during a period when the **distribution network capacity** would otherwise be exceeded on part or all of the **distribution network**; or
 - "(b) **generating plant** that is only momentarily **synchronised** with the **distribution network** for the purpose of switching operations to start or stop the **generating plant**".
- (5) In clause 1.1(1), definition of **distributed generator**, after "operates", insert ", or intends to own or operate,".
- (6) In clause 1.1(1), definition of **distribution network**, after "**distributor**", delete ", but does not include—
 - "(a) the **national grid**; or
 - "(b) an **embedded network** that is used to convey less than 5 GWh per annum".
- (7) In clause 1.1(1), definition of **distributor**,—
 - (a) replace "paragraph (b)" with "paragraphs (b) and (c)"; and
 - (b) after paragraph (b), insert:
 - "(c) for the purposes of the definitions of **connection and operation standards**, **distributed generation** and **distribution network** and Part 6, a **participant** who owns—
 - "(i) a **local network**; or
 - "(ii) an **embedded network** that is used to convey 5 GWh or more of **electricity** per annum; or
 - "(iii) a system of **lines** that—
 - "(A) is used for providing **line function services** to a person other than the owner of those **lines**; and
 - "(B) is not part of the **grid** and has no direct or indirect **connection** to the **grid**; and
 - "(C) conveys 5 GWh or more of **electricity** per annum".
- (8) In clause 1.1(1), definition of **electrical installation**—

- (a) delete paragraph (a); and
- (b) delete "for the purposes of the rest of this Code,".
- (9) In clause 1.1(1), definition of **lines**, after "**distribution network**", insert "**distributor**".
- (10) In clause 1.1(1), definition of **reasonable and prudent operating practice**,—
 - (a) replace "**capacity of the distribution network**" with "**distribution network capacity**"; and
 - (b) delete "excessive power flow at feeder points or"; and
 - (c) replace "supply" with "**electricity conveyed**".
- (11) In clause 1.1(1), revoke the definitions of **fittings**, **national grid** and **capacity**.
- (12) In clause 1.1(1), insert in their appropriate alphabetical order:

"distribution network capacity means the capacity of a **distribution network** to convey **electricity** under a range of load and **generation** conditions in accordance with **reasonable and prudent operating practice**

"export congestion means a situation in which a **distribution network** is unable to accept **electricity** exported from a **distributed generation connection** because the injection of an additional unit of **electricity** into the **distribution network** would—

"(a) directly cause a component in the **network** to operate beyond the component's rated maximum capacity; or

"(b) give rise to an unacceptably high level of voltage at the **point of connection** between the **distribution network** and the **distributed generation**

"incremental costs, for the purpose of Part 6, means the reasonable costs that an efficient **distributor** would incur in providing **electricity** distribution services with **connection** services to **distributed generation**, less the costs that the efficient **distributor** would incur if it did not provide those **connection** services

"nameplate capacity means the lesser of—

"(a) the full-load continuous rating of **generating plant** under conditions specified by its designer in **MW** or kilowatts; or

"(b) the full-load continuous rating of the **generating plant's** inverter (if any) under conditions specified by its designer in **MW** or kilowatts".

5 **Clause 6.1 amended (Contents of this Part)**

In clause 6.1, replace paragraphs (a) and (b) with:

- "(a) a framework to enable the **connection** and continued **connection** of **distributed generation** if consistent with **connection and operation standards**; and
- "(b) in Schedule 6.1, processes (including time frames) under which **distributed generators** may—
 - "(i) **connect distributed generation**; or
 - "(ii) continue an existing **connection** of **distributed generation** if the **connection** contract for the **distributed generation**—
 - "(A) is in force and the **distributed generator** wishes to extend the term of the **connection** contract; or
 - "(B) has expired; or
 - "(iii) continue an existing **connection** of **distributed generation** that is **connected** without a **connection** contract if the **regulated terms** do not apply; or
 - "(iv) change the **nameplate capacity** or fuel type of **connected distributed generation**; and".

6 Clause 6.2 amended (Purpose)

In clause 6.2, replace "enable connection" with "enable the **connection** and continued **connection**".

7 Clause 6.3 amended (Distributors must make information publicly available)

(1) Replace clause 6.3(1) with:

"(1) The purpose of this clause is to require each **distributor** to make certain information publicly available to enable the approval of **distributed generation** under Schedule 6.1."

(2) Replace clause 6.3(2)(a) to (c) with:

"(a) forms for applications under Schedule 6.1; and

"(b) the **distributor's connection and operation standards**; and

"(c) a copy of the **regulated terms**, together with an explanation of how the **regulated terms** will apply if—

"(i) approval is granted under Schedule 6.1; and

"(ii) the **distributor** and the **distributed generator** do not enter into a **connection** contract; and".

(3) In clause 6.3(2)(d), replace "is" with "will be".

(4) After clause 6.3(2)(d), insert:

"(da) a list of all locations on its **distribution network** that the **distributor**—

"(i) knows to be subject to **export congestion**; or

"(ii) expects to become subject to **export congestion** within the next 12 months; and".

(5) Replace clause 6.3(2)(e) with:

"(e) a list of any fees that the **distributor** charges under Schedule 6.1, which must not exceed the relevant maximum fees prescribed in Schedule 6.5; and

"(f) a list of the makes and models of inverters that the **distributor** has approved for **connection** to its **distribution network**; and

"(g) the **distributor's** contact information for any enquiries relating to the **connection** of **distributed generation** to its **distribution network**".

(6) Replace clause 6.3(3) with:

"(3) The application forms referred to in subclause (2)(a) must specify the information, including any supporting documents, that must be provided with an application under Schedule 6.1."

8 Clause 6.4 replaced (Process for obtaining approval to connect)

Replace clause 6.4 with:

"6.4 Process for obtaining approval

"(1) Schedule 6.1 applies if a **distributed generator** wishes to—

"(a) **connect distributed generation**, whether on the **regulated terms** or on other terms; or

"(b) continue an existing **connection** of **distributed generation** if the **connection** contract for the **distributed generation**—

"(i) is in force and the **distributed generator** wishes to extend the term of the **connection** contract; or

"(ii) has expired; or

"(c) continue an existing **connection** of **distributed generation** that is **connected** without a **connection** contract if the **regulated terms** do not apply; or

- "(d) change the **nameplate capacity** or fuel type of **connected distributed generation**.
- "(2) A **distributor** must approve an application submitted under Schedule 6.1 if the application complies with the requirements of that Schedule.
- "(3) Except as provided in clause 6.4A, a **distributor** cannot contract out of the provisions of Schedule 6.1 with a **distributed generator**.

"6.4A Distributor and distributed generator may agree to simpler process for existing connection

A **distributor** and a **distributed generator** may agree a simpler process for the continued **connection** of **distributed generation** to the **distributor's distribution network** than the relevant process set out in Schedule 6.1 if—

- "(a) a **connection** contract for the **distributed generation**—
 - "(i) is in force and the **distributed generator** wishes to extend the term of the **connection** contract; or
 - "(ii) has expired; or
- "(b) the **distributed generation** is **connected** without a **connection** contract; or
- "(c) there is a change in the **nameplate capacity** or fuel type of the **distributed generation**."

9 Clause 6.5 amended (Connection contract outside regulated terms)

- (1) In the heading above clause 6.5, delete "**outside regulated terms**".
- (2) In clause 6.5, delete "who wishes to apply for approval to **connect distributed generation**".
- (3) In clause 6.5, delete "**outside the regulated terms**".

10 Clause 6.6 amended (Connection on regulated terms)

- (1) Replace clause 6.6(2) with:
 - "(2) The **regulated terms** apply in the following circumstances:
 - "(a) if a **distributor** and a **distributed generator** do not enter into a **connection** contract by the expiry of the period for negotiating a **connection** contract under clauses 9 or 24 of Schedule 6.1:
 - "(b) in accordance with clause 9G of Schedule 6.1."
- (2) Replace clause 6.6(4) with:
 - "(4) Despite this clause, a **distributor** and a **distributed generator** may at any time, by agreement, enter into a **connection** contract that will apply instead of the **regulated terms**."

11 Clause 6.7 amended (Extra terms)

- (1) In clause 6.7(1)—
 - (a) delete "**(extra terms)**"; and
 - (b) delete "**outside the regulated terms**" in each place; and
 - (c) after "under a", insert "**connection**".
- (2) In clause 6.7(2), replace "contract outside" with "**connection** contract on terms that apply instead of".

12 Clause 6.8 amended (Dispute resolution)

- (1) In clause 6.8(1), replace "Schedule 6.3 applies" with "Subject to subclause (2), Schedule 6.3 applies to a dispute between a **distributed generator** that is a **participant** and a **distributor** arising from any one of the following".
- (2) In clause 6.8(1)(a), delete "to disputes between a **distributed generator** and a **distributor** arising from".
- (3) After clause 6.8(1)(a), insert:
 "(aa) an allegation that conditions specified by the **distributor** under clause 18 of Schedule 6.1 are not reasonably required; and
 "(ab) an allegation that a party has not attempted to negotiate in good faith under clause 6 or clause 21 of Schedule 6.1; and".
- (4) Replace clause 6.8(1)(b) with:
 "(b) an allegation that a party has breached any of the other provisions of this Part."
- (5) In clause 6.8(2)(a), delete "outside the **regulated terms**".

13 Clause 6.9 amended (Pricing principles)

In clause 6.9(a), replace "clause 20" with "clause 19".

14 Clause 6.10 revoked (Application of this Part to persons other than distributors and distributed generators)

Revoke clause 6.10.

15 Clause 6.11 amended (Distributors must act at arms length)

- (1) In the heading above clause 6.11, replace "**arms**" with "**arm's**".
- (2) In clause 6.11,—
 - (a) replace "for the connection of **distributed generation**, and in connecting **distributed generation**" with "and notices under Schedule 6.1"; and
 - (b) after "regardless of", delete "whether"; and
 - (c) before "the **distributor** owns", insert "whether"; and
 - (d) replace "owns or has" with "has an ownership interest or".
- (3) Replace clause 6.11(b) with:
 "(b) who the **distributed generator** is."

16 Clause 6.13 replaced (Regulations do not apply to earlier connections)

Replace clause 6.13 with:

"6.13 This Part does not apply to earlier connections

This Part does not apply in relation to, or affect, any **distributed generation** that was **connected** under a contract entered into before 30 August 2007, except for the purpose of renewing or extending the term of the contract."

17 Heading above Schedule 6.1 amended

In the heading above Schedule 6.1, delete "**to connect**".

18 New cross heading and Schedule 6.1, clauses 1A to 1D inserted

Before Part 1 of Schedule 6.1, insert:

"Preliminary provisions

"1A Contents of this Schedule

This Schedule specifies the procedures for processing applications from **distributed generators** for the **connection** or continued **connection** of **distributed generation**.

"1B Distributed generator must apply

Subject to clause 6.4A and clause 1D, a **distributed generator** that owns or operates **distributed generation** must apply to a **distributor** if it wishes to—

- "(a) **connect** the **distributed generation** to the **distributor's distribution network**; or
- "(b) continue an existing **connection** of the **distributed generation** to the **distributor's distribution network** if a **connection** contract for the **distributed generation**—
 - "(i) is in force and the **distributed generator** wishes to extend the term of the **connection** contract; or
 - "(ii) has expired; or
- "(c) continue an existing **connection** of the **distributed generation** to the **distributor's distribution network** that is **connected** without a **connection** contract if the **regulated terms** do not apply; or
- "(d) change the **nameplate capacity** or fuel type of the **distributed generation** **connected** to the **distributor's distribution network**.

"1C How Parts apply to applications

This Schedule applies to applications made under clause 1B as follows:

- "(a) Part 1 applies to applications in respect of **distributed generation** that has a **nameplate capacity** of 10 kW or less in total, unless the **distributed generator** has elected, under clause 1D, to apply under Part 1A;
- "(b) Part 1A applies to applications in respect of **distributed generation** that has a **nameplate capacity** of 10 kW or less in total, if the **distributed generator** has elected, under clause 1D, to apply under Part 1A;
- "(c) Part 2 applies to applications in respect of **distributed generation** that has a **nameplate capacity** of more than 10 kW in total.

"1D When application may be made under Part 1A

A **distributed generator** may elect to apply to a **distributor** under Part 1A instead of Part 1 if the **distributed generation** to which the application relates—

- "(a) is designed and installed in accordance with AS 4777.1; and
- "(b) incorporates an inverter that has been tested and issued a Declaration of Conformity with AS 4777.2 by a laboratory with accreditation issued or recognised by International Accreditation New Zealand; and
- "(c) has protection settings that meet the **distributor's connection and operation standards**."

19 Schedule 6.1, Part 1 heading amended

In the heading above Schedule 6.1, Part 1, delete "connection and operation of".

20 Schedule 6.1, clause 1 amended

Replace Schedule 6.1, clause 1(1) with:

"(1) This Part applies to applications relating to **distributed generation** that has a **nameplate capacity** of 10 kW or less in total, unless the **distributed generator** that owns or operates the **distributed generation** has elected, under clause 1D, to apply under Part 1A."

21 Schedule 6.1, clause 2 amended

(1) Replace the heading above Schedule 6.1, clause 2 with "**Applications under this Part of this Schedule**".

(2) Revoke Schedule 6.1, clause 2(1).

(3) Replace Schedule 6.1, clause 2(2) with:

"(2) A **distributed generator** must apply to a **distributor** by—

"(a) using the application form provided by the **distributor** that is publicly available under clause 6.3(2)(a); and

"(b) providing any information in respect of the **distributed generation** to which the application relates that is—

"(i) referred to in subclause (3); and

"(ii) specified by the **distributor** under clause 6.3(3) as being required to be provided with the application; and

"(c) paying the application fee (if any) specified by the **distributor** in accordance with clause 6.3(2)(e)."

(4) In Schedule 6.1, clause 2(3)(a), replace "owner or operator of the **distributed generation**" with "**distributed generator**".

(5) After Schedule 6.1, clause 2(3)(a), insert:

"(aa) whether the application is to—

"(i) **connect distributed generation**; or

"(ii) continue an existing **connection** of **distributed generation** that is **connected** in accordance with a **connection** contract if the **connection** contract—

"(A) is in force and the **distributed generator** wishes to extend the term of the **connection** contract; or

"(B) has expired; or

"(iii) continue an existing **connection** of **distributed generation** that is **connected** without a **connection** contract; or

"(iv) change the **nameplate capacity** or fuel type of **connected distributed generation**:".

(6) Replace Schedule 6.1, clause 2(3)(b) with:

"(b) evidence of the **nameplate capacity** that the **distributed generation** will have, or other suitable evidence that the **distributed generation** is or will only be capable of generating **electricity** at a rate of 10 kW or less:".

(7) After Schedule 6.1, clause 2(3)(b), insert:

"(ba) if the application is to change the **nameplate capacity** or fuel type of **connected distributed generation**—

"(i) the **nameplate capacity** that the **distributed generation** will have after the change; and

"(ii) the aggregate **nameplate capacity** that all **distributed generation** that is **connected** at the **point of connection** at which the **distributed generation** is **connected** will have after the change:".

(8) Replace Schedule 6.1, clause 2(3)(c) and (d) with:

"(c) details of the fuel type of the **distributed generation** (for example, solar, wind, or liquid fuel):

- "(d) a brief description of the physical location at the address at which the **distributed generation** is or will be **connected**:".
- (9) After Schedule 6.1, clause 2(3)(d), insert:
 - "(da) if the application is to **connect distributed generation**, when the **distributed generation** is expected to be **connected**:".
- (10) Replace Schedule 6.1, clause 2(3)(e) with:
 - "(e) technical specifications of the **distributed generation** and **associated equipment**, including the following:
 - "(i) technical specifications of equipment that allows the **distributed generation** to be **disconnected** from the **distribution network** on loss of mains voltage:
 - "(ii) manufacturer's rating of equipment:
 - "(iii) number of phases:
 - "(iv) proposed or current **point of connection** to the **distribution network** (for example, the **ICP identifier** and street address):
 - "(v) details of either or both of any inverter and battery storage:
 - "(vi) details of any load at the proposed or current **point of connection**:
 - "(vii) details of the voltage (for example, 415 V or 11 kV) when **connected**:".
- (11) In Schedule 6.1, clause 2(3)(g), after "reasonably required", insert "by the **distributor**".
- (12) Revoke Schedule 6.1, clause 2(4).

22 Schedule 6.1, clause 3 amended

- (1) In Schedule 6.1, clause 3(2), delete "to **connect distributed generation**".
- (2) Replace Schedule 6.1, clause 3(2)(b)(ii) and (iii) with:
 - "(ii) the **distributed generator** will ensure that the **distributed generation** complies at all times with the **Act**, and this Code; and
 - "(iii) the **distributed generation** meets the **distributor's connection and operation standards**."
- (3) In Schedule 6.1, clause 3(3)(a),—
 - (a) delete ", if the **distributed generator** makes a new application,"; and
 - (b) replace "ensure connection; and" with "achieve approval if it makes a new application:".
- (4) In Schedule 6.1, clause 3(3)(b),—
 - (a) before "the default", insert "information about"; and
 - (b) after "disputes", insert "between **participants**".
- (5) After Schedule 6.1, clause 3(3)(b), insert:
 - "(c) that if the **distributed generator** is not a **participant**, the **distributed generator** may report to the **Authority** under the Electricity Industry (Enforcement) Regulations 2010 if it considers that the **distributor** has breached any requirement in Part 6 of this Code."

23 Schedule 6.1, clause 4 amended

- (1) In Schedule 6.1, clause 4(1), replace—
 - (a) "The" with "A"; and
 - (b) "the application" with "an application".
- (2) Replace Schedule 6.1, clause 4(3) with:
 - "(3) The **distributed generator** that made the application—
 - "(a) may grant an extension which must not exceed 20 **business days**; and
 - "(b) must not unreasonably withhold consent to an extension."

24 Schedule 6.1, clause 5 amended

- (1) Replace Schedule 6.1, clause 5(1) with:

"(1) If a **distributor** advises a **distributed generator** that its application is approved, the **distributed generator** must give written notice to the **distributor** confirming whether or not the **distributed generator** intends to proceed to negotiate a **connection** contract under clause 6 and, if so, confirming the details of the **distributed generation** to which the application relates."

- (2) In Schedule 6.1, clause 5(2), replace "to **connect distributed generation**, or within a longer period of time mutually agreed between" with ", or such later date as is agreed by".
- (3) In Schedule 6.1, clause 5(3), delete "for connection of **distributed generation**".
- (4) In Schedule 6.1, clause 5(4), delete "for connection of **distributed generation**".

25 Cross heading above Schedule 6.1, clause 6 amended

In the cross heading above Schedule 6.1, clause 6, replace "*Connection*" with "*Post-approval*".

26 Schedule 6.1, clause 6 amended

- (1) In Schedule 6.1, clause 6(1),—

- (a) replace "to **connect distributed generation**" with "under clause 2"; and
- (b) after "gives notice", insert "to a **distributor**"; and
- (c) replace "(starting on the date on which the **distributor** receives the notice)" with ", starting on the date on which the **distributor** receives the notice,".

- (2) In Schedule 6.1, clause 6(2), delete "mutual".

27 Schedule 6.1, clause 7 amended

- (1) Replace Schedule 6.1, clause 7(1) with:

"(1) Subject to subclause (1A), a **distributed generator** whose application under clause 2 is approved by a **distributor** must test and inspect the **distributed generation** to which the application relates within a reasonable time frame specified by the **distributor**."

- (2) After Schedule 6.1, clause 7(1), insert:

"(1A) The **distributor** may waive the requirement that the **distributed generator** test and inspect if the **distributor** is satisfied that the **distributed generation** complies with the **distributor's connection and operation standards**."

- (3) In Schedule 6.1, clause 7(4), replace—

- (a) "provide the **distributor** with" with "give the **distributor**"; and
- (b) "**metering installation**" with "**distributed generation**"; and
- (c) "**metering standards** in this Code" with "**distributor's connection and operation standards**".

- (4) In Schedule 6.1, clause 7(5),—

- (a) after "**distributor**", insert "in accordance with clause 6.3(2)(e)"; and
- (b) delete ", up to the maximum fee prescribed in Schedule 6.5".

28 Schedule 6.1, clauses 8 and 9 replaced

Replace Schedule 6.1, clauses 8 and 9 with:

"8 Connection of distributed generation if connection contract negotiated

- "(1) This clause applies if a **distributor** and a **distributed generator** whose application under this Part of this Schedule is approved enter into a **connection**

contract before the period for negotiating a **connection** contract under this Part of this Schedule expires.

- "(2) If the application is to **connect distributed generation** under clause 1B(a), the **distributor** must allow the **distributed generator** to **connect** the **distributed generation** in accordance with the contract as soon as practicable.
- "(3) If the application is to continue an existing **connection** of **distributed generation** under clause 1B(b), the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing **connection** continues apply—
 - "(a) as soon as practicable, if the previous **connection** contract has expired; or
 - "(b) no later than the expiry of the previous **connection** contract, if the contract is in force.
- "(4) If the application is to continue an existing **connection** for which there is no **connection** contract under clause 1B(c), the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing **connection** continues apply as soon as practicable.
- "(5) If the application is to change the **nameplate capacity** or fuel type of **connected distributed generation** under clause 1B(d), the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing **connection** continues apply as soon as practicable.

"9 Connection of distributed generation on regulated terms if connection contract not negotiated

- "(1) This clause applies if a **distributor** and a **distributed generator** whose application under this Part of this Schedule is approved do not enter into a **connection** contract before the period for negotiating a **connection** contract under this Part of this Schedule expires.
- "(2) If the application is to **connect distributed generation** under clause 1B(a), the **distributor** must allow the **distributed generator** to **connect** the **distributed generation** on the **regulated terms** as soon as practicable after the expiry of the period.
- "(3) If the application is to continue an existing **connection** of **distributed generation** under clause 1B(b), the **regulated terms** apply to the **distributed generator's** existing **connection** as follows:
 - "(a) if the previous **connection** contract has expired, the **regulated terms** apply from the day after the date on which the period for negotiating a **connection** contract under this Part of this Schedule expires;
 - "(b) if the previous **connection** contract is still in force, the **regulated terms** apply from the day after the date on which the contract expired.
- "(4) If the application is to continue an existing **connection** for which there is no **connection** contract under clause 1B(c), the **regulated terms** apply from the day after the date that the period for negotiating a **connection** contract under this Part of this Schedule expires.
- "(5) If the application is to change the **nameplate capacity** or fuel type of **connected distributed generation** under clause 1B(d), the **regulated terms** apply from the day after the date that the period for negotiating a **connection** contract under this Part of this Schedule expires."

29 Schedule 6.1, Part 1A inserted
After Schedule 6.1, Part 1, insert:

"Part 1A

"Applications for distributed generation of 10 kW or less in total in specified circumstances

"9A **Contents of this Part**

- "(1) This Part applies to applications relating to **distributed generation** that has a **nameplate capacity** of 10 kW or less in total if the **distributed generator** that owns or operates the **distributed generation** has elected, under clause 1D, to apply under this Part of this Schedule.
- "(2) This Part of this Schedule provides for a simplified 1-stage application process.

"9B **Application for distributed generation of 10 kW or less in total in specified circumstances**

- "(1) A **distributed generator's** application to a **distributor** must specify which of the following circumstances applies:
- "(a) the **distributed generator** wishes to **connect distributed generation**:
 - "(b) the **distributed generator** wishes to continue an existing **connection of distributed generation** that is **connected** in accordance with a **connection contract** that—
 - "(i) is in force and the **distributed generator** wishes to extend the term of the **connection contract**; or
 - "(ii) has expired:
 - "(c) the **distributed generator** wishes to continue an existing **connection of distributed generation** that is **connected** without a **connection contract**:
 - "(d) the **distributed generator** wishes to change the **nameplate capacity** or fuel type of **connected distributed generation**.
- "(2) An application must include the following:
- "(a) the name, contact, and address details of the **distributed generator** and, if applicable, the **distributed generator's** agent:
 - "(b) a brief description of the physical location at the address at which the **distributed generation** is or will be **connected**:
 - "(c) any application fee specified by the **distributor** in accordance with clause 6.3(2)(e):
 - "(d) details of the make and model of the inverter:
 - "(e) confirmation as to whether the inverter—
 - "(i) is included on the **distributor's** list of approved inverters made publicly available under clause 6.3(2)(f); or
 - "(ii) conforms with the protection settings specified in the **distributor's connection and operation standards**:
 - "(f) if the inverter is not included on the **distributor's** list of approved inverters, a copy of the AS 4777.2 Declaration of Conformity certificate for the inverter:
 - "(g) details of—
 - "(i) the **nameplate capacity** of the **distributed generation**; and
 - "(ii) the fuel type of the **distributed generation** (for example, solar, wind, or liquid fuel).
- "(3) The **distributed generator** must also give the **distributor** the following information as soon as it is available, but no later than 10 **business days** after the approval of the application:
- "(a) a copy of the Certificate of Compliance issued under the Electricity (Safety) Regulations 2010 that relates to the **distributed generation**:

- "(b) the **ICP identifier** of the **ICP** at which the **distributed generation** is **connected** or is proposed to be **connected**, if one exists.
- "(4) A **distributor** must, no later than 2 **business days** after receiving an application from a **distributed generator**, acknowledge receipt of the application.

"9C Distributor may inspect distributed generation

- "(1) A **distributor** may inspect **distributed generation** that is **connected** or is proposed to be **connected** to its **distribution network** for the purpose of—
 - "(a) verifying that the **distributed generation** meets, or continues to meet, the requirements specified in clause 1D; or
 - "(b) verifying the information contained in an application made under this Part of this Schedule.
- "(2) If a **distributor** wishes to inspect **distributed generation**, the **distributor** must give the **distributed generator** at least 2 **business days'** notice of the time and date on which the inspection will take place.
- "(3) Following receipt of a notice, the **distributed generator** must—
 - "(a) pay the fee specified by the **distributor** in accordance with clause 6.3(2)(e) for the inspection (if any); and
 - "(b) provide or arrange for the **distributor** to have reasonable access to the **distributed generation**.

"9D Export congestion

- "(1) This clause applies if a **distributed generator** applies to a **distributor** under this Part of this Schedule to **connect distributed generation** or continue an existing **connection** of **distributed generation** to a location on the **distributor's distribution network** that is included in the list published in accordance with clause 6.3(2)(da).
- "(2) The **distributor** may advise the **distributed generator** that the **distributed generation** may be subject to **export congestion** as set out in the **distributor's congestion management policy**.
- "(3) If a **distributor** has advised a **distributed generator** under subclause (2), the **distributor** must take reasonable steps to work with the **distributed generator** to assess whether solutions exist to mitigate the **export congestion**.

"9E Non-compliance or incomplete information

- "(1) This clause applies if a **distributor** considers that an application made to it by a **distributed generator** under this Part of this Schedule has 1 or more of the following deficiencies:
 - "(a) the **distributed generation** to which the application relates does not meet the requirements specified in clause 1D;
 - "(b) the **distributed generation** to which the application relates is not as described in the information given under clause 9B(2);
 - "(c) the **distributed generator** has not complied with clause 9B(2).
- "(2) If this clause applies, the **distributor** must advise the **distributed generator** of the deficiency or deficiencies.
- "(3) If the **distributed generator** is advised of a deficiency or deficiencies, it must remedy each deficiency to the satisfaction of the **distributor** no later than 10 **business days** after being advised of the deficiency.
- "(4) If the **distributed generator** is required to remedy a deficiency it must pay the relevant fee specified by the **distributor** in accordance with clause 6.3(2)(e).

- "(5) If the **distributed generator** does not remedy each deficiency of which it is advised within the time frame specified in subclause (3)—
 - "(a) if the **distributed generation** to which the application relates is **connected** to the **distributor's distribution network** at the time of being advised under subclause (2), the **distributor** may, by notice to the **distributed generator**, require the **distributed generator** to disconnect the **distributed generation** within a reasonable time frame specified by the **distributor**; or
 - "(b) if the **distributed generation** is not **connected** to the **distributor's distribution network** at the time of being advised under subclause (2), the **distributor** may, by notice to the **distributed generator**, prohibit the **distributed generator** from **connecting** the **distributed generation** to the **distributor's distribution network** until each deficiency is remedied to the **distributor's** satisfaction.
- "(6) The **distributor** must approve the **connection** or reconnection of the **distributed generation** (as the case may be) as soon as is reasonable in the circumstances if—
 - "(a) the **distributed generator** disconnects its **distributed generation** under subclause (5)(a) (if applicable); and
 - "(b) the **distributed generator** remedies each deficiency advised under subclause (2)—
 - "(i) to the satisfaction of the **distributor**; and
 - "(ii) no later than 12 months after the date of the notice given under subclause (5) or such later date as is agreed by the **distributor** and the **distributed generator**.
- "(7) If the **distributor** approves the **connection** or reconnection of **distributed generation**, it must give a notice of final approval to the **distributed generator** under clause 9F.

"9F Notice of final approval

- "(1) A **distributor** must give a notice of final approval of **distributed generation** to a **distributed generator** that has made an application to the **distributor** under this Part of this Schedule if the **distributor** is satisfied that—
 - "(a) the **distributed generation** meets the requirements specified in clause 1D; and
 - "(b) the information given by the **distributed generator** under clause 9B(2) is complete and accurate.
- "(2) The **distributor** must give the notice no later than 10 **business days** after the date on which the application was submitted.
- "(3) If the **distributed generator** does not receive a notice by the date specified in subclause (2), the **distributor** is deemed to have given notice of final approval.

"9G Regulated terms apply

- "(1) If a **distributor** gives a notice of final approval to a **distributed generator** under clause 9F, the **regulated terms** apply.
- "(2) Despite subclause (1), and in accordance with clause 6.6(4), the **distributor** and **distributed generator** may at any time enter into a **connection** contract on terms that apply instead of the **regulated terms**.

"9H When distributed generator may connect to distribution network

- "(1) A **distributed generator** that has submitted an application to a **distributor** under clause 1D may **connect** the **distributed generation** to which the application

relates to the **distributor's distribution network** if the **distributed generator** receives a notice of final approval under clause 9F(1), or is deemed to have received a notice of final approval under clause 9F(3).

"(2) Despite subclause (1) a **distributor** may prohibit a **distributed generator** from **connecting** if—

"(a) the **distributor** has advised the **distributed generator** of a deficiency under clause 9E(2) and the deficiency has not been remedied in accordance with clause 9E(3); or

"(b) the **distributor** gave notice that it wished to inspect the **distributed generation** under clause 9C(2), but the **distributed generator** has not provided or arranged for the **distributor** to have reasonable access to the **distributed generation** under clause 9C(3)(b).".

30 Heading above Schedule 6.1, Part 2 amended

In the heading above Schedule 6.1, Part 2, delete "connection and operation of".

31 Schedule 6.1, clause 10 amended

Replace Schedule 6.1, clause 10(1) with:

"(1) This Part of this Schedule applies to applications relating to **distributed generation** that has a **nameplate capacity** of more than 10 kW in total."

32 Schedule 6.1, clause 11 amended

(1) In the heading above Schedule 6.1, clause 11,—

(a) delete "**wishing to connect**"; and

(b) replace "**provide**" with "**give**".

(2) Revoke Schedule 6.1, clause 11(1).

(3) Replace Schedule 6.1, clause 11(2) with:

"(2) A **distributed generator** must apply to a **distributor** ("**initial application**") by—

"(a) using the application form provided by the **distributor** that is publicly available under clause 6.3(2)(a); and

"(b) providing any information in respect of the **distributed generation** to which the application relates that is—

"(i) referred to in subclause (3); and

"(ii) specified by the **distributor** under clause 6.3(3) as being required to be provided with the application; and

"(c) paying the application fee (if any) specified by the **distributor** in accordance with clause 6.3(2)(e)."

(4) In Schedule 6.1, clause 11(3)(a), replace "owner or operator of the **distributed generation**" with "**distributed generator**".

(5) After Schedule 6.1, clause 11(3)(a), insert:

"(aa) whether the application is to—

"(i) **connect distributed generation**; or

"(ii) continue an existing **connection** of **distributed generation** that is **connected** in accordance with a **connection** contract if the **connection** contract—

"(A) is in force and the **distributed generator** wishes to extend the term of the **connection** contract; or

"(B) has expired; or

"(iii) continue an existing **connection** of **distributed generation** that is **connected** without a **connection** contract; or

- "(iv) change the **nameplate capacity** or fuel type of **connected distributed generation**:".
- (6) Replace Schedule 6.1, clause 11(3)(b) with:
"(b) evidence of the **nameplate capacity** that the **distributed generation** will have:".
 - (7) After Schedule 6.1, clause 11(3)(b), insert:
"(ba) if the application is to change the **nameplate capacity** or fuel type of **connected distributed generation**,—
 - "(i) the **nameplate capacity** that the **distributed generation** will have after the change; and
 - "(ii) the aggregate **nameplate capacity** that all **distributed generation** that is **connected** at the **point of connection** at which the **distributed generation** is **connected** will have after the change:".
 - (8) Replace Schedule 6.1, clause 11(3)(c) and (d) with:
 - "(c) details of the fuel type of the **distributed generation** (for example, solar, wind, or liquid fuel):
 - "(d) a brief description of the physical location at the address at which the **distributed generation** is or will be **connected**:".
 - (9) After Schedule 6.1, clause 11(3)(d), insert:
"(da) if the application is to **connect distributed generation**, when the **distributed generation** is expected to be **connected**:".
 - (10) Replace Schedule 6.1, clause 11(3)(e) with:
 - "(e) technical specifications of the **distributed generation** and **associated equipment**, including the following:
 - "(i) technical specifications of equipment that allows the **distributed generation** to be **disconnected** from the **distribution network** on loss of mains voltage;
 - "(ii) manufacturer's rating of equipment;
 - "(iii) number of phases;
 - "(iv) proposed or current **point of connection** to the **distribution network** (for example, the **ICP identifier** and street address);
 - "(v) details of either or both of any inverter and battery storage;
 - "(vi) details of any load at the proposed or current **point of connection**;
 - "(vii) details of the voltage (for example, 415 V or 11 kV) when **connected**:".
 - (11) In Schedule 6.1, clause 11(3)(i), replace "**generating unit**" with "**distributed generation**".
 - (12) In Schedule 6.1, clause 11(3)(m), after—
 - (a) "to the", insert "**distribution**"; and
 - (b) "ratings of", insert "the proposed"; and
 - (c) "**circuit breaker**", delete "proposed".
 - (13) In Schedule 6.1, clause 11(3)(q), after "required", insert "by the **distributor**".
 - (14) Revoke Schedule 6.1, clause 11(4).

33 Schedule 6.1, clause 12 amended

- (1) In the heading above Schedule 6.1, clause 12, replace "**provide**" with "**give**".
- (2) In Schedule 6.1, clause 12, replace—
 - (a) "The **distributor** must provide the" with "A **distributor** must give a"; and
 - (b) "who wishes to **connect distributed generation** with a copy of" with "that makes an **initial application**"; and
 - (c) "receiving a completed" with "receiving the completed".
- (3) In Schedule 6.1, clause 12(b), replace—

- (a) "supply" with "**electricity** conveyed"; and
- (b) "other connected parties" with "**points of connection** on the **distribution network**".
- (4) In Schedule 6.1, clause 12(d), replace "network" with "**distribution network**".
- (5) In Schedule 6.1, clause 12(e),—
 - (a) after "effects", insert "the **distributed generation** may have"; and
 - (b) delete "resulting from the proposed connection".
- 34 Schedule 6.1, clause 13 amended**
In Schedule 6.1, clause 13(2), after "system details relevant to the", insert "current or".
- 35 Schedule 6.1, clause 14 amended**
In Schedule 6.1, clause 14, replace "who" with "that".
- 36 Schedule 6.1, clause 15 amended**
 - (1) Replace Schedule 6.1, clause 15(1) with:
 - "(1) A **distributed generator** that makes an **initial application** to a **distributor** must make a **final application**, no later than 12 months after receiving information under clauses 12 and 13, if the **distributed generator** wishes to proceed with the application, unless—
 - "(a) the **distributor** and the **distributed generator** agree that a **final application** is not required; and
 - "(b) there are no persons to whom notification is required under clause 16 at the time that the **distributor** and **distributed generator** agree that a **final application** is not required."
 - (2) After Schedule 6.1, clause 15(1), insert:
 - "(1A) If a **final application** is not required—
 - "(a) subclause (2) does not apply; and
 - "(b) the **distributed generator's initial application** must be treated as a **final application** for the purposes of clauses 16 to 24."
- 37 Schedule 6.1, clause 16 replaced**
Replace Schedule 6.1, clause 16 with:
 - "16 Notice to third parties**
 - A **distributor** that receives a **final application** must give written notice to the following persons no later than 10 **business days** after receiving the **final application**:
 - "(a) all persons that have made an **initial application** relating to a particular part of the **distribution network** that the **distributor** considers would be affected by the approval of the **final application**; and
 - "(b) all **distributed generators** that have **distributed generation** with a **nameplate capacity** of 10 kW or more in total **connected** on the **regulated terms** to the particular part of the **distribution network** that the **distributor** considers would be affected by the approval of the **final application**."
- 38 Schedule 6.1, clause 17 amended**
 - (1) Replace Schedule 6.1, clause 17(1) and (2) with:
 - "(1) Subclause (2) applies if—
 - "(a) a **distributor** receives a **final application** (the **first application**); and

- "(b) the **distributor** receives another **final application**, within 20 **business days** after receiving the **first application**, relating to a particular part of the **distribution network** that the **distributor** considers would be affected by the approval of the **first application**.
- "(2) If this subclause applies, the **distributor**—
 - "(a) may consider the **final applications** together as if they were competitive bids to use the same part of the **distribution network**; and
 - "(b) must consider the **final applications** in light of the purpose of Part 6 of this Code."
- (2) In Schedule 6.1, clause 17(3), replace "for connection" with "relating".

39 Schedule 6.1, clause 18 amended

- (1) In Schedule 6.1, clause 18(2),—
 - (a) delete "to **connect distributed generation**"; and
 - (b) replace "**generation** will comply" with "**generator** will ensure that the **distributed generation** complies"; and
 - (c) replace "the connection of the **distributed generation** would be consistent with" with "the **distributed generation** meets"; and
 - (d) replace "performs" with "meets".
- (2) Replace Schedule 6.1, clause 18(3) with:
 - "(3) A notice stating that an application is approved must be accompanied by the following information:
 - "(a) a detailed description of any conditions (or other measures) that are conditions of the approval under subclause (2), and what the **distributed generator** must do to comply with them:
 - "(b) detailed reasons for those conditions (or other measures):
 - "(c) a detailed description of any charges payable by the **distributed generator** to the **distributor** or by the **distributor** to the **distributed generator**, and an explanation of how the charges have been, or will be, calculated:
 - "(d) the default process for resolving disputes under Schedule 6.3, if the **distributed generator** disputes all or any of the conditions (or other measures) or charges payable."
- (3) Replace Schedule 6.1, clause 18(4)(a) with:
 - "(a) detailed reasons as to why the application has been declined and what the applicant must do to get approval if it makes a new application:".
- (4) After Schedule 6.1, clause 18(4)(a) insert:
 - "(aa) if the application is one to which clause 17(2) applies, the criteria used in making a decision under clause 17(2)(a) and clause 17(2)(b):".
- (5) Replace Schedule 6.1, clause 18(4)(b) with:
 - "(b) the default process for resolving disputes between **participants** under Schedule 6.3:
 - "(c) that if the **distributed generator** is not a **participant**, the **distributed generator** may report to the **Authority** under the Electricity Industry (Enforcement) Regulations 2010 if it considers that the **distributor** has breached any requirement in Part 6 of this Code."

40 Schedule 6.1, clause 19 amended

- (1) Replace Schedule 6.1, clause 19(1) with:
 - "(1) A notice required by clause 18 must be given by a **distributor** to a **distributed generator** no later than—

- "(a) 45 **business days** after the date of receipt of the **final application**, in the case of **distributed generation** that will have a **nameplate capacity** of less than 1 **MW**; or
 - "(b) 60 **business days** after the date of receipt of the **final application**, in the case of **distributed generation** that will have a **nameplate capacity** of 1 **MW** or more but less than 5 **MW**; or
 - "(c) 80 **business days** after the date of receipt of the **final application**, in the case of **distributed generation** that will have a **nameplate capacity** of 5 **MW** or more."
- (2) Replace Schedule 6.1, clause 19(4) with—
- "(4) A **distributed generator** that receives a notice seeking an extension—
- "(a) may grant an extension which must not exceed 40 **business days**; and
 - "(b) must not unreasonably withhold consent to an extension."

41 **Schedule 6.1, clause 20 replaced**

Replace Schedule 6.1, clause 20 with:

"20 Distributed generator must give notice of intention to proceed

- "(1) If a **distributor** advises a **distributed generator** that the **distributed generator's final application** is approved, the **distributed generator** must give written notice to the **distributor** confirming whether or not the **distributed generator** intends to proceed to negotiate a **connection** contract under clause 21(1) and, if so, confirming—
- "(a) the details of the **distributed generation**; and
 - "(b) that the **distributed generator** accepts all of the conditions (or other measures) that have been specified by the **distributor** under clause 18.
- "(2) The **distributed generator** must give the notice no later than 30 **business days** after the day on which the **distributor** gives notice of approval under clause 18, or such later date as is agreed by the **distributor** and the **distributed generator**.
- "(3) If the **distributed generator** is a **participant** and does not accept 1 or more of the conditions specified by the **distributor** under clause 18(2) (if any), but intends to proceed to negotiate a **connection** contract under clause 21(1), the **distributed generator** must—
- "(a) give notice of the dispute in accordance with clause 2 of Schedule 6.3 within 30 **business days** after the day on which the **distributor** gives notice of approval under clause 18; and
 - "(b) give a notice under subclause (1) within 30 **business days** after the dispute is resolved.
- "(4) The **distributor's** duties under Part 6 of this Code arising from the application no longer apply if the **distributed generator** fails to give notice to the **distributor** of an intention to proceed to negotiate a **connection** contract under clause 21(1) within the time limits specified in this clause.
- "(5) Subclause (4) does not prevent the **distributed generator** from making a new application under Part 6 of this Code."

42 **Cross heading above Schedule 6.1, clause 21 amended**

In the cross heading above Schedule 6.1, clause 21, replace "*Connection*" with "*Post-approval*".

43 **Schedule 6.1, clause 21 amended**

- (1) In Schedule 6.1, clause 21(1), replace—

- (a) "application to **connect distributed generation** is approved gives notice" with "**final application** is approved gives notice to a **distributor**"; and
 - (b) "20" with "20(1)"; and
 - (c) "(starting on the date on which the **distributor** receives the notice)" with "
starting on the date on which the **distributor** receives the notice,".
- (2) In Schedule 6.1, clause 21(2), delete "mutual".

44 Schedule 6.1, clause 22 amended

- (1) Replace Schedule 6.1, clause 22(1) with:
- "(1) A **distributed generator** whose **final application** is approved by a **distributor** must test and inspect the **distributed generation** to which the **final application** relates within a reasonable time frame specified by the **distributor**."
- (2) After Schedule 6.1, clause 22(1), insert:
- "(1A) The **distributor** may waive the requirement that the **distributed generator** test and inspect if the **distributor** is satisfied that the **distributed generation** complies with the **distributor's connection and operation standards**."
- (3) In Schedule 6.1, clause 22(4), replace—
- (a) "provide" with "give"; and
 - (b) "**metering installation**" with "**distributed generation**"; and
 - (c) "appropriate **metering standards** in this Code" with "**distributor's connection and operation standards**".
- (4) In Schedule 6.1, clause 22(5),—
- (a) after "**distributor**", insert "in accordance with clause 6.3(2)(e)"; and
 - (b) delete ", up to the maximum fee prescribed in Schedule 6.5".

45 Schedule 6.1, clauses 23 and 24 replaced

Replace Schedule 6.1, clauses 23 and 24 with:

"23 Connection of distributed generation if connection contract negotiated

- "(1) This clause applies if a **distributor** and a **distributed generator** whose **final application** is approved enter into a **connection** contract before the period for negotiating a **connection** contract under this Part of this Schedule expires.
- "(2) If the application is to **connect distributed generation** under clause 1B(a), the **distributor** must allow the **distributed generator** to **connect the distributed generation** in accordance with the contract as soon as practicable.
- "(3) If the application is to continue an existing **connection** of **distributed generation** under clause 1B(b), the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing **connection** continues apply—
- "(a) as soon as practicable, if the previous **connection** contract has expired; or
 - "(b) no later than the expiry of the previous **connection** contract, if the contract is in force.
- "(4) If the application is to continue an existing **connection** for which there is no **connection** contract under clause 1B(c), the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing **connection** continues apply as soon as practicable.
- "(5) If the application is to change the **nameplate capacity** or fuel type of **connected distributed generation** under clause 1B(d), the **distributor** must use its best endeavours to ensure that the new terms under which the **distributed generator's** existing **connection** continues apply as soon as practicable.

"24 Connection of distributed generation on regulated terms if connection contract not negotiated

- "(1) This clause applies if a **distributor** and a **distributed generator** whose **final application** is approved do not enter into a **connection** contract before the period for negotiating a **connection** contract under this Part of this Schedule expires.
- "(2) If the application is to **connect distributed generation** under clause 1B(a), the **distributor** must allow the **distributed generator** to **connect** the **distributed generation** on the **regulated terms** as soon as practicable after the later of the following:
 - "(a) the expiry of the period for negotiating a **connection** contract under this Part of this Schedule;
 - "(b) the date on which the **distributed generator** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 18 as conditions of the **connection**.
- "(3) If the application is to continue an existing **connection** of **distributed generation** under clause 1B(b), the **regulated terms** apply to the **distributed generator's** existing **connection** from the later of the following:
 - "(a) the expiry of the period for negotiating a **connection** contract under this Part of this Schedule;
 - "(b) the expiry of the existing **connection** contract;
 - "(c) the date on which the **distributed generator** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 18 as conditions of the **connection**.
- "(4) If the application is to continue an existing **connection** for which there is no **connection** contract under clause 1B(c), the **regulated terms** apply from the later of the following:
 - "(a) the expiry of the period for negotiating a **connection** contract under this Part of this Schedule;
 - "(b) the date on which the **distributed generator** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 18 as conditions of the **connection**.
- "(5) If the application is to change the **nameplate capacity** or fuel type or **connected distributed generation** under clause 1B(d), the **regulated terms** apply from the later of the following:
 - "(a) the expiry of the period for negotiating a **connection** contract under this Part of this Schedule;
 - "(b) the date on which the **distributed generator** has fully complied with any conditions (or other measures) that were specified by the **distributor** under clause 18 as conditions of the **connection**."

46 Schedule 6.1, clause 25 amended

- (1) In the heading above Schedule 6.1, clause 25, delete "**before connection**".
- (2) Replace Schedule 6.1, clause 25(1) with:
 - "(1) All information given with, or relating to, an application made under this Schedule to a **distributor** must be kept confidential by the **distributor** except as agreed otherwise by the person that gave the information."
- (3) After Schedule 6.1, clause 25(1), insert:
 - "(1A) A **distributor** may require a **distributed generator** to keep confidential information that—

- "(a) is given to the **distributed generator** by the **distributor** for the purpose of an application under this Schedule; and
- "(b) the **distributor** reasonably identifies as being confidential.
- "(1B) A **distributor** is excused from processing an application made by a **distributed generator** under this Schedule if the **distributed generator** does not agree to comply with a requirement to keep information confidential imposed under subclause (1A)."
- (4) Replace Schedule 6.1, clause 25(2) and (3) with:
 - "(2) Despite subclause (1), the **distributor**—
 - "(a) may, in response to an application under this Schedule, disclose to the applicant that another **distributed generator** has made an application under this Schedule (without identifying who the other **distributed generator** is); and
 - "(b) may, in the case of an application under Part 1 of this Schedule, generally indicate the location or proposed location of the **distributed generation** that is the subject of the other application; and
 - "(c) may, in the case of an application under Part 2 of this Schedule, disclose the **nameplate capacity** and proposed location of the **distributed generation** that is the subject of the other application.
 - "(3) The obligation to keep information confidential set out in subclause (1) includes—
 - "(a) an obligation not to use the information for any purpose other than considering the application under this Schedule and enabling the **connection** or continued **connection** of the **distributed generation**; and
 - "(b) an obligation to destroy the information as soon as is reasonably practicable after the later of—
 - "(i) the date on which the information is no longer required for the purposes in paragraph (a); and
 - "(ii) 60 months after receiving the information."

47 Schedule 6.1, clause 28 replaced

Replace Schedule 6.1, clause 28 with:

"28 Distributors must keep records

"A **distributor** must maintain records of each application and notification received under this Schedule and the resulting outcomes, including records of how long it took to approve or decline the application, and justification for these outcomes, for a minimum of 60 months after the day on which the application was approved or declined."

48 New cross heading and Schedule 6.1, clause 29 inserted

After Schedule 6.1, clause 28, insert:

"Costs

"29 Responsibility for costs under this Schedule

A **distributor** and **distributed generator** must pay their respective costs (including legal costs) incurred under this Schedule."

49 Heading above Schedule 6.2 amended

In the heading above Schedule 6.2, delete "**connection of**".

50 Schedule 6.2, clause 1 amended

In Schedule 6.2, clause 1,—

- (a) delete "for connection of **distributed generation**"; and
- (b) replace "the connection of" with "a **distributor** and a **distributed generator** in respect of"; and
- (c) after "clause 6.6", insert "of Part 6 of this Code".

51 Schedule 6.2, clause 3 amended

- (1) In Schedule 6.2, clause 3(1), replace "A **distributor** and a" with "The **distributor** and the".
- (2) In Schedule 6.2, clause 3(6), delete "as conditions of the connection".

52 Schedule 6.2, clause 4 amended

- (1) Revoke Schedule 6.2, clause 4(1).
- (2) Replace Schedule 6.2, clause 4(2) to (4) with:
 - "(2) The **distributed generator** must give the **distributor**, at the **distributor's** request, the interval data and cumulative data recorded by the **metering installations** at the **point of connection** at which the **distributed generation** is **connected** or is proposed to be **connected**.
 - "(3) The **distributed generator** must provide **reactive** metering if—
 - "(a) the **meter** for the **distributed generation** is part of a **category 2 metering installation**, or a higher category of **metering installation**; and
 - "(b) the **distributed generator** is required to do so by the **distributor**.
 - "(4) The **distributor's** requirements in respect of metering measurement and accuracy must be the same as set out in Part 10 of this Code."

53 Schedule 6.2, clause 8 amended

In Schedule 6.2, clause 8(1), replace "A" with "The".

54 Schedule 6.2, clause 9 amended

- (1) In the heading above Schedule 6.2, clause 9, replace "**notify**" with "**advise**".
- (2) In Schedule 6.2, clause 9(1), replace—
 - (a) "discover" with "discovers"; and
 - (b) "notify" with "advise".

55 Schedule 6.2, clause 11 amended

- (1) In Schedule 6.2, clause 11, after "clause 10,", replace "a" with "the".
- (2) Revoke Schedule 6.2, clause 11(e).
- (3) After Schedule 6.2, clause 11(f), insert:
 - "(g) if the **distributed generator** fails to comply with the **distributor's**—
 - "(i) **connection and operation standards**; or
 - "(ii) **safety requirements**."

56 Schedule 6.2, clause 12 amended

- (1) In Schedule 6.2, clause 12(1)(a), replace "notify" with "advise".
- (2) In Schedule 6.2, clause 12(3), replace "to restore service to the **distributed generator** and to advise the **distributed generator** of the expected duration of the outage." with "to—
 - "(a) restore service to the **distributed generator**; and
 - "(b) advise the **distributed generator** of the expected duration of the outage."

57 Schedule 6.2, clause 13 amended

- (1) In Schedule 6.2, clause 13(1), replace "A **distributor** must notify a" with "The **distributor** must advise the".
- (2) In Schedule 6.2, clause 13(2), replace—
 - (a) "that notice" with "that advice"; and
 - (b) replace "generation", with "**distributed generation**".

58 Schedule 6.2, clause 14 amended

In Schedule 6.2, clause 14—

- (a) replace "notify" with "advise" in each place; and
- (b) after "affects", insert "**distribution**".

59 Schedule 6.2, clause 15 amended

- (1) Replace Schedule 6.2, clause 15(1)(b) and (c) with:
 - "(b) without notice, if a **distributed generator** has been temporarily disconnected under clause 11(g) and—
 - "(i) the **distributed generator** fails to remedy the non-compliance within a reasonable period of time; and
 - "(ii) there is an ongoing risk to persons or property:
 - "(c) without notice, if the **trader** that is recorded in the **registry** as being responsible for the **ICP** to which the **distributed generation** is **connected** to the **distribution network** has **de-energised** the **ICP** and advised the **registry** that the **ICP** has a status of "inactive" with the reason of "de-energised – ready for decommissioning":
- (2) In Schedule 6.2, clause 15(1)(d)(i), after "into the", insert "**distribution**".
- (3) Revoke Schedule 6.2, clause 15(2).
- (4) In Schedule 6.2, clause 15(3)—
 - (a) replace "notify" with "advise"; and
 - (b) delete "If applicable, the **distributed generator** must cancel any seller contracts, ensure that the **retailer** decommissions the embedded generation network service point with the **reconciliation manager**, and that the **retailer** arranges decommissioning of the **ICP**."
- (5) Revoke Schedule 6.2, clause 15(4) and (5).

60 New cross heading and Schedule 6.2, clause 15A inserted

After Schedule 6.2, clause 15, insert:

"Time frame for construction

"15A Distributed generator must construct distributed generation within 18 months of approval

- "(1) This clause applies if the **distributor** approves the **distributed generator's** application to **connect distributed generation** under Part 1, Part 1A, or Part 2 of Schedule 6.1.
- "(2) The **regulated terms** cease to apply if the **distributed generator** does not **construct** the **distributed generation** within—
 - "(a) 18 months from the date on which approval was granted; or
 - "(b) such later date as is agreed by the **distributor** and **distributed generator**.
- "(3) The **distributed generator** must reapply under Schedule 6.1 if—

- "(a) the **regulated terms** no longer apply in accordance with subclause (1); and
- "(b) the **distributed generator** wishes to **connect distributed generation** to the **distributor's distribution network**".

61 Schedule 6.2, clause 19 amended

In Schedule 6.2, clause 19, replace—

- (a) "Connection charges" with "Charges"; and
- (b) "a **distributed generator**" with "the **distributed generator** or the **distributor**".

62 Schedule 6.2, clause 20 amended

- (1) In Schedule 6.2, clause 20(1), replace "a **distributor** or" with "the **distributor** or the".
- (2) In Schedule 6.2, clause 20(3), replace "does" with "and clauses 21 to 25 do".

63 Schedule 6.2, clause 21 amended

- (1) In Schedule 6.2, clause 21(1), replace "a" with "the".
- (2) Replace Schedule 6.2, clause 21(2)(b)(ii) with:
 "(ii) the failure arises from a reduced **injection** of **electricity** into the **distribution network**; or".
- (3) After Schedule 6.2, clause 21(2)(b)(ii), insert:
 "(iia) the failure arises from an interruption in the conveyance of **electricity** in the **distribution network**, if the interruption was at the request of the **system operator** or under a nationally or regionally co-ordinated response to an **electricity** shortage; or".

64 Schedule 6.2, clause 22 amended

In Schedule 6.2, clause 22(b), replace "installed" with "**nameplate**".

65 Schedule 6.2, clause 23 amended

In Schedule 6.2, clause 23(a) replace "a **distributor** or" with "the **distributor** or the".

66 Schedule 6.2, clause 24 revoked

Revoke Schedule 6.2, clause 24.

67 Schedule 6.2, clause 25 amended

- (1) Replace Schedule 6.2, clause 25(a)(iv) with:
 "(iv) the partial or entire failure of the **injection** of **electricity** into the **distribution network**; or".
- (2) In Schedule 6.2, clauses 25(2) and 25(3), replace "notify" with "advise" in each place.

68 Schedule 6.3, clause 1 replaced

Replace Schedule 6.3, clause 1 with:

"1 Application of this Schedule

This Schedule applies in accordance with clause 6.8."

69 Schedule 6.4, clause 1 amended

In Schedule 6.4, clause 1, replace "clause 20" with "clause 19".

70 Schedule 6.4, clause 2 amended

- (1) In the heading to Schedule 6.4, clause 2, replace "*network*" with "*distribution network*".
- (2) In Schedule 6.4, clause 2, replace—
 - (a) "**capacity**" with "**distribution network capacity**" in each place; and

- (b) "incremental costs" with "**incremental costs**" in each place.
- (3) In Schedule 6.4, clause 2(a), replace "**market operation service provider**" with "**distributor**".
- (4) In Schedule 6.4, clause 2(c), replace "notify" with "advise the **distributed generator**".
- (5) In Schedule 6.4, clause 2(f), delete "expressed in dollars per annum".
- (6) Revoke Schedule 6.4, clause 2(g).
- (7) In Schedule 6.4, clause 2(h), replace "notify" with "advise".
- (8) In Schedule 6.4, clause 2(i)(ii), replace "the **network**" with "the **distribution network**".
- (9) In Schedule 6.4, clause 2(j), replace "5 years" with "60 months".
- (10) In Schedule 6.4, clause 2(l)(ii), replace "the **network**" with "the **distribution network**".
- (11) In Schedule 6.4, clause 2(m), replace "3 years" with "36 months".

71 Schedule 6.4, clause 3 revoked

Revoke Schedule 6.4, clause 3.

72 Schedule 6.5, clause 1 revoked

Revoke Schedule 6.5, clause 1.

73 Schedule 6.5, clause 2 replaced

In Schedule 6.5, replace clause 2 with:

- "2 A **distributor** may require the payment of fees for any of the following activities prescribed under Part 6 of this Code to the maximum fee specified in the column opposite that activity:

Description of fee	\$ (exclusive of GST)
Part 1 of Schedule 6.1 application	
Application fee under clause 2(2)(c)	200
Fee for observation of testing and inspection under clause 7(5)	60
Part 1A of Schedule 6.1 application	
Application fee under clause 9B(2)(c)	100
Fee for inspection under clause 9C(3)	60
Deficiency fee under clause 9E(4)	80
Part 2 of Schedule 6.1 application	
Application fee for distributed generation with nameplate capacity of more than 10 kW but less than 100 kW under clause 11(2)(c)	500

Application fee for distributed generation with nameplate capacity of 100 kW or more in total but less than 1 MW under clause 11(2)(c)	1,000
Application fee for distributed generation with nameplate capacity of 1 MW or more under clause 11(2)(c)	5,000
Fee for observation of testing and inspection of distributed generation with nameplate capacity of more than 10 kW but less than 100 kW under clause 22(5)	120
Fee for observation of testing and inspection of distributed generation with nameplate capacity of 100 kW or more under clause 22(5)	1,200

".

74 Schedule 11.1, clause 7 amended

In Schedule 11.1, clause 7(1)(o), replace "nameplate capacity" with "**nameplate capacity**".

75 Terms replaced in the Electricity Industry Participation Code 2010

In the Electricity Industry Participation Code 2010, replace in each place—

- (a) "connect" with "**connect**"; and
- (b) "connected" with "**connected**"; and
- (c) "connecting" with "**connecting**"; and
- (d) "connection" with "**connection**".

Explanatory Note

This note is not part of the amendment, but is intended to indicate its general effect.

This amendment to the Electricity Industry Participation Code 2010 comes into force on 23 February 2015.

The amendment provides a new process for connecting small-scale distributed generation under Part 6 of the Code, and makes a number of other changes to improve the operation and clarity of Part 6. It also makes consequential changes to other parts of the Code.

Date of notification in the *Gazette*: 21 August 2014