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## Wholesale Electricity Market Rule Change Proposal Submission Form

**RC\_2010\_31      Deregistration of Rule Participants who no longer  
meet registration requirements**

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### Submitted by

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### Submission

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**1. Please provide your views on the proposal, including any objections or suggested revisions.**

#### Background

Clause 2.18.19 of the Market Rules requires that a Rule Participant must:

- be resident in, or have permanent establishment in, Australia;
- not be an externally-administered body corporate (as defined in the Corporations Act), or under a similar form of administration under any laws applicable to it in any jurisdiction;
- not have immunity from suit in respect of the obligations of a Rule Participant under these Market Rules; and
- be capable of being sued in its own name in a court of Australia.

#### Rule Change Proposal

RC\_2010\_31 would amend the Market Rules to permit the IMO to deregister a Rule Participant where the Rule Participant no longer satisfies all of the criteria set out in clause 2.28.19.

#### Alinta's views

Alinta does not oppose RC\_2010\_31.

However, Alinta considers that the clarity of the drafting of the amending rules could be improved. The following is offered as a suggestion.

- 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 ~~to be a Rule Participant, as outlined 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 include:
- (a) ~~the reason for the issue of the Registration Correction Notice~~ which of the criteria specified in clause 2.28.19 the IMO considers the Rule Participant no longer meets; and
  - (b) A request that the Rule Participant:
    - (i) correct the circumstances that ~~have led to it no longer meeting all of the criteria in clause 2.28.19~~ are the subject of the Registration Correction Notice; or
    - (ii) provide evidence to the IMO that it continues to meet all of the criteria specified in clause 2.28.19 ~~it should remain registered as a Rule Participant; and~~
  - (d) 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
  - (e) A date and time from which the de-registration of the Rule Participant will become effective, should that Rule Participant not provide sufficient evidence under paragraphs (b) or (c).
- 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 ~~should remain registered~~ 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 ~~should remain registered~~ 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 time and date 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.

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## **2. Please provide an assessment whether the change will better facilitate the achievement of the Market Objectives.**

Market Rule 2.4.2 states that the IMO must not make Amending Rules unless it is satisfied that the Market Rules, as proposed to be amended or replaced, are consistent with the Wholesale Market Objectives. The Wholesale Market Objectives are as follows.

- (a) To promote the economically efficient, safe and reliable production and supply of electricity and electricity related services in the South West interconnected system.
- (b) To encourage competition among generators and retailers in the South West interconnected system, including by facilitating efficient entry of new competitors.
- (c) To avoid discrimination in that market against particular energy options and technologies, including sustainable energy options and technologies such as those that make use of renewable resources or that reduce overall greenhouse gas emissions.
- (d) To minimise the long-term cost of electricity supplied to customers from the South West interconnected system.
- (e) To encourage the taking of measures to manage the amount of electricity used and when it is used.

Alinta considers it likely that the IMO can be satisfied that RC\_2010\_31 is consistent with the Wholesale Market Objectives, and in any event that it is unlikely to be inconsistent with the Wholesale Market Objectives.

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**3. Please indicate if the proposed change will have any implications for your organisation (for example changes to your IT or business systems) and any costs involved in implementing these changes.**

The changes to the Market Rules contemplated by RC\_2010\_31 would not require Alinta to change its IT or business systems, and hence there are no IT or business costs associated with the rule change proposal.

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**4. Please indicate the time required for your organisation to implement the change, should it be accepted as proposed.**

The changes to the Market Rules contemplated by RC\_2010\_31 would not require Alinta to change its IT or business systems, and hence there is no specific period of time that would be required to implement the changes arising from the rule change proposal.