

1 EXECUTIVE SUMMARY

Synergy would like to thank Energy Policy WA (EPWA) for the opportunity to provide feedback on the *Exposure Draft Tranche 5 Wholesale Electricity Market Amending Rules (Tranche 5 Rules)*.

2 TRANCHE 5 AMENDING RULES – REGISTRATION FRAMEWORK

1) Registration Framework (Sections 1.47, 1.5X, 2.28 - 2.34)								
#	Rule ref.	Classification	Issue	Suggestion				
1	1.47.1	Typographical	Suggest the word “Rules” has accidentally been deleted; replacing “.” with “;” at the end of the subclauses; and replacing “facility” with “Facility”.	<p>1.47.1:</p> <p>...</p> <p>(a) a Rule Participant registered in the Market Customer, Market Generator and or Ancillary Service Provider class under these WEM Rules is deemed to be registered in the Market Participant class; and</p> <p>(b) subject to clause 1.47.3, a Registered Facility that is registered to a Rule Participant in the Market Customer class or Market Generator class referred to in clause 1.47.1(a) is deemed to be registered under the Facility Class set out in clause 1.47.2;</p> <p>(c) subject to clause 1.47.3, a Ffacility registered as a single Ffacility under the Pre-Amended WEM Rules, is deemed to be registered as a single facility; and</p> <p>(d) subject to clause 1.47.3, a Ffacility registered as an aggregated Ffacility under the Pre-Amended WEM Rules, is deemed to be registered as an aggregated Ffacility.</p>				
2	1.47.2	Typographical	Suggest the words “date determined by AEMO under 1.47.1” are replaced with “New WEM Commencement Day” in the first row for both columns of the table.	<p>1.47.2: ...</p> <table border="1"> <tr> <td>Facility Class as at the last Trading Interval immediately preceding the date determined by AEMO under 1.47.1 New WEM Commencement Day</td> <td>Facility Class from the date determined by AEMO under 1.47.1 New WEM Commencement Day</td> </tr> <tr> <td>...</td> <td>...</td> </tr> </table>	Facility Class as at the last Trading Interval immediately preceding the date determined by AEMO under 1.47.1 New WEM Commencement Day	Facility Class from the date determined by AEMO under 1.47.1 New WEM Commencement Day
Facility Class as at the last Trading Interval immediately preceding the date determined by AEMO under 1.47.1 New WEM Commencement Day	Facility Class from the date determined by AEMO under 1.47.1 New WEM Commencement Day							
...	...							
3	1.47.3	Clarification	Synergy queries the rationale behind requiring a Market participant to apply to AEMO to seek an assessment of the Facility Class for any equipment planned to be added or removed prior to the New WEM Commencement Day.	N/A				
4	1.47.8(a)	Typographical	Suggest a “;” is removed in clause 1.47.3; clause 1.47.6 ...”	<p>1.47.8(a):</p> <p>(a) the information required, the process and timeframes a Market Participant must adhere to when applying to AEMO for an assessment under clause 1.47.3; clause 1.47.6 or clause 1.47.6A;</p>				

1) Registration Framework (Sections 1.47, 1.5X, 2.28 - 2.34)

#	Rule ref.	Classification	Issue	Suggestion
5	Section 1.47	Major	<p>Synergy understands from the TDWOG meeting held on the 10th November that there would be adequate consultation between AEMO and the Market Participant prior to AEMO making its final determination under clause 1.47.7A. However, the WEM Rules do not appear to indicate anywhere that AEMO should consult with the Market Participant or seek any clarifying information.</p> <p>Synergy suggests a new clause is added to address this concern and clause numbering is amended to allow appropriate placement. Further clause 1.47.8 which details the specifications of the WEM procedure should be expanded to include consultation and clarification.</p>	<p>1.47.7A (new): AEMO may consult with and request additional information or clarifications from the Market Participant prior to making its determination under this section 1.47.</p> <p>1.47.7A 1.47.7AA: AEMO’s determination of the Facility Class under this section 1.47 is final.</p> <p>1.47.8: (b) the process and timeframes AEMO must adhere to when conducting an assessment and follow when assigning a Facility Class to a facility in respect of an application submitted under clause 1.47.3, or clause 1.47.6 or clause 1.47.6A, which must take into account the Facility Technology Types comprising a facility; and (c) the process and timeframes AEMO and Market Participants must adhere to when consulting or clarifying in accordance with clause 1.47.7A; and (e) (d) any other relevant matters.</p>
6	1.5X.1	Typographical	<p>Synergy notes the clause 1.55.2 does not exist and suggests the clause reference should instead be clause 1.5X.2.</p> <p>Further the term “Tranches 2 and 3 Amending Rules” is not globally defined and is only defined within set sections of the WEM Rules (proposed drafting is consistent with clause 1.50.1).</p>	<p>1.5X.1: Where under the Tranches 2 and 3 Amending Rules (as defined in clause 1.43.1), a Rule Participant is required to provide or update Standing Data in respect to a Facility, it must do so in accordance with the timeframes and processes specified by AEMO under clause 1.5X5.2.</p>
7	2.28.3A(e)	Typographical	<p>Suggest the words “Market Participants” is reinstated and “generators and customers” is removed, and additional punctuation to improve readability.</p>	<p>2.28.3A(e): (e) include as part of the data provided to AEMO under this clause 2.28.3A: i. all data provided to the Network Operator, that is used for the purpose of modelling in relation to the SWIS, by Market Participants, generators and customers; other Network Operators and any other source; and</p>
8	2.28.8A	Typographical	<p>Suggested amendments to improve readability.</p>	<p>2.28.8A: A person who intends to own, control or operate a Facility containing a Facility with a System Size that is less than 5 MW and is or will be electrically connected to the South West Interconnected System may register as a Market Participant in a Rule Participant class.</p>
9	2.28.16	Clarification	<p>Suggest the reference to clause 2.30B.8A is reviewed as it may not be the right clause number. Clause 2.29.4C maybe?</p>	<p>N/A</p>

1) Registration Framework (Sections 1.47, 1.5X, 2.28 - 2.34)

#	Rule ref.	Classification	Issue	Suggestion
10	2.28.16A(e)	Moderate	Synergy notes Applicants may wish to issue the notice of revocation greater than 2 days in advance of the revocation taking effect. Synergy requests this clause be amended to allow for this.	2.28.16A(e): (e) At 8:00 AM, 2 business days after AEMO receives notice of such revocation, the latter of: i. AEMO receiving the notice of revocation in accordance with clause 2.28.16A(d); ii. the proposed date of revocation in the notice of revocation submitted to AEMO in accordance with clause 2.28.16A(d); and iii. the Applicant becoming a registered as a Market Participant;
11	2.28.20(e), (f), (g)	Typographical	Suggest amending “this section 2.28 and 2.30B” to “sections 2.28 and 2.30B”.	2.28.20: ... (e) the criteria AEMO will use to determine whether or not to exempt persons from Rule Participant or Facility registration requirements under in this sections 2.28 and 2.30B, which must include assessment criteria for AEMO to ensure that granting an exemption from the requirement to register does not adversely affect Power System Security or Power System Reliability. (f) the processes to be followed by a Market Participant in applying for an exemption in respect of Rule Participant or Facility registration under this sections 2.28 and 2.30B; and (g) the processes to be followed and criteria to be applied by AEMO in assessing, determining or revoking an exemption in respect of Rule Participant or Facility registration under this sections 2.28 and 2.30B.
12	Section 2.28, section 2.29 and Glossary (plus complete WEM Rules)	Major	Synergy suggests the amendments to the definition of the term “Facility” to capture all facilities registered or not should be reversed. The term Facility is used extensively throughout the WEM Rules, (2,768 times in the 1 July companion version), and therefore may result in unintended consequences from the amendments. Additionally, the undefined term “facility” is used numerous times in other sections of the WEM Rules that are not being amended in this Tranche 5. The replacement of “Energy Producing System” with “Facility” should be revised to ensure there are no unintended outcomes from the amendments.	N/A
13	2.29.1AA	Minor	Synergy queries whether (a) and (b) should be replaced with defined terms. Synergy notes that the clause is currently circular, with “Facilities” being used in subclause (d) and suggest the wording is revised (note proposed drafting not provided).	2.29.1AA: The following are Facilities for the purposes of these WEM Rules: (a) a T ransmission C onected G enerating S ystem; (b) a D istribution C onected G enerating S ystem; (c) all of the Facility Technology Types that are connected behind a network connection point; (d) one or more Facilities, as defined in clause 2.29.1AA(c), aggregated under section 2.30 at an Electrical Location; or ...

1) Registration Framework (Sections 1.47, 1.5X, 2.28 - 2.34)

#	Rule ref.	Classification	Issue	Suggestion
14	2.29.4	Moderate	Suggest “Facility” is replaced with “Energy Producing System” for clarification that Loads, Distribution Systems and Transmission Systems (which are defined as Facilities under clause 2.29.1AA) are not captured under this clause.	2.29.4: Subject to clause 2.29.4L, a person who owns, controls or operates an Energy Producing System Facility with a System Size that equals or exceeds 10 MW and is electrically connected to a transmission system or distribution system which forms part of the South West Interconnected System, or is electrically connected to that system, must register the Energy Producing System Facility as a Semi-Scheduled Facility or a Scheduled Facility.
15	2.29.4A, 2.29.4B, 2.29.4C, 2.29.4E, 2.29.4F, 2.29.4G, 2.29.4H, 2.29.4I, 2.29.4J, 2.29.4K and 2.29.4L	Moderate	As per item 14 (clause 2.29.4), suggest the word “Facility” or “facility” is replaced with “Energy Producing System” for clarification that Loads, Distribution Systems and Transmission Systems (which are defined as Facilities under clause 2.29.1AA) are not captured under these clauses. Impacted clauses: 2.29.4, 2.29.4A, 2.29.4B, 2.29.4C, 2.29.4E, 2.29.4F, 2.29.4G, 2.29.4H, 2.29.4I, 2.29.4J, 2.29.4K and 2.29.4L.	N/A
16	2.29.4I	Minor	Suggest the word “in” is added “WEM Procedure in clause 2.29.4M”. Additional drafting amendments to capture suggested edits to clause 2.29.4I as raised above in item 15 – replacing “Facility” or “facility” with “Energy Producing System”.	2.29.4I: If AEMO determines that an Energy Producing System Facility must be controllable for the purposes of Power System Security and Power System Reliability, in accordance with the WEM Procedure in clause 2.29.4M, or if a person requests to register their Energy Producing System facility as a Scheduled Facility or a Semi-Scheduled Facility under clause 2.29.4G, then AEMO must register the relevant Energy Producing System Facility as either a Scheduled Facility or a Semi-Scheduled Facility in accordance with clause 2.29.4L and the WEM Procedure referred to in clause 2.29.4M.
17	2.29.4N	Typographical	Suggest this clause is moved earlier (becomes 2.29.4L) and the clause numbering is revised for subsequent clauses.	2.29.4N 2.29.4L: AEMO may request further information necessary to make its determination under clause 2.29.4K. and the Market Participant must provide that information within 15 Business Days of being notified by AEMO.

1) Registration Framework (Sections 1.47, 1.5X, 2.28 - 2.34)

#	Rule ref.	Classification	Issue	Suggestion
18	2.29.5G	Typographical	<p>Suggest that subclause items (i), (ii) and (iii) are listed without brackets for consistency.</p> <p>Suggest the “;” in a(i) is moved to before the “or”.</p>	<p><u>2.29.5G:</u></p> <p>...</p> <p>(a) the start date, which is the latest of:</p> <ul style="list-style-type: none"> (i) if the Market Participant making the application owns, operates or controls the relevant Non-Dispatchable Load, the start of the Trading Day commencing on the start date provided under clause 2.29.5B(d); or (i) (ii) if the Market Participant making the application has entered into contract with the person who owns, operates or controls the relevant Non-Dispatchable Load, the contract start date provided under clause 2.29.5B(e); or (iii) the start of the Trading Day following the day that AEMO notifies the applicant of its decision under clause 2.29.5D; and <p>(b) the end date is the latest of:</p> <ul style="list-style-type: none"> (i) if the Market Participant making the application has entered into contract with the person who owns, operates or controls the relevant Non-Dispatchable Load, the contract end date provided under clause 2.29.5B(d); or (ii) if the Market Participant making the application has entered into contract with the person who owns, operates or controls the relevant Non-Dispatchable Load, the contract end date provided under clause 2.29.5B(e).

1) Registration Framework (Sections 1.47, 1.5X, 2.28 - 2.34)

#	Rule ref.	Classification	Issue	Suggestion
19	2.30.5	Typographical	<p>Usage of 'and' is inconsistent throughout the clause and is present for all subclauses except for 2.30.5(a) and 2.30.5(g). Synergy suggests the "and" is removed for all subclauses except for b(i); additionally an "and" should be included at the end of subclause (g).</p> <p>The subclauses 2.30.5(g), 2.30.5(g)(i), 2.30.5(g)(ii) and (h) should be de-capitalised.</p> <p>The brackets around the subclause items in 2.30.5(b) and 2.30.5(g) on items (i) and (ii) should be removed for consistency.</p>	<p>2.30.5:</p> <p>In relation to an application made under 2.30.1, AEMO must only allow the aggregation of Facilities under clause 2.30.1 if, in its opinion the proposed Aggregated Facility meets all of the following criteria:</p> <p>...</p> <p>(b) the Market Participant Standing Data for:</p> <ul style="list-style-type: none"> (i) each individual Facility as it would if the Facilities were registered separately; and (i) the Aggregated Facility as a whole; and <p>(c) ... ; and</p> <p>(d) ... ; and</p> <p>(e) ... ; and</p> <p>(f) ... ; and</p> <p>(g) Either either:</p> <ul style="list-style-type: none"> (i) tThe System Size of the proposed Aggregated Facility as determined by AEMO will not affect the quantity of Frequency Co-optimised Essential Services dispatched; or (ii) tThe Facility Contingency associated with the proposed Aggregated Facility affects all the individual Facilities in the proposed aggregation simultaneously; <p>and</p> <p>(h) if the proposed Aggregated Facility intending to provide Frequency Cooptimised Essential System Services, the capability to simultaneously provide energy and Frequency Co-optimised Essential Services from the individual Facilities can be adequately described for the proposed Aggregated Facility.</p>
20	2.31.2	Minor	<p>Synergy queries whether clause 2.31.2 needs to be amended to account for the aggregation, disaggregation and facility class reassessment forms.</p>	<p>N/A</p>
21	2.31.11(f) and 2.31.11(g)	Minor	<p>Synergy considers clause 2.31.11(g) should consistently reference the disaggregation of Facilities to avoid confusion.</p> <p>The clause reference in 2.31.11(f) and 2.31.11 (g) appear to be incorrect. Suggest that 2.33.6(d) and 2.33.7(d) are used instead.</p>	<p>2.31.11:</p> <p>...</p> <p>(f) in the case of an application to aggregate multiple Facilities, the date and time that aggregation is to take effect, where the date is to be the latter of the earliest date by which AEMO can facilitate the aggregation and the date specified in accordance with clause 2.33.6(e)2.33.6(d); and</p> <p>(g) in the case of an application to disaggregate multiple Facilities, the date and time that disaggregation is to take effect, where the date is to be the latter of the earliest date by which AEMO can facilitate the disaggregation and the date specified in accordance with clause 2.33.7(e)2.33.7(d).</p>

1) Registration Framework (Sections 1.47, 1.5X, 2.28 - 2.34)

#	Rule ref.	Classification	Issue	Suggestion
22	2.31.13(j), (k) and (l)	Minor	<p>Suggest for subclause (j) the “and” is removed at the end of item (i), and for item (ii) the “and” is replaced with “or. For formatting consistency, the () around the subclause items (i), (ii) and (iii) should be removed.</p> <p>Suggest for subclause (k) and (l), the “or” at the end is removed.</p> <p>Suggest in subclause (l) that the “for the Facility” is reinstated given that the 2019 pricing reforms are now in place the Capacity Credit Allocations have to be done at a Facility Level.</p>	<p><u>2.31.13:</u> ...</p> <p>(j) in the case of an application to register a Facility:</p> <p>(i) the relevant Metering Data Agent informs AEMO that the Facility or its associated interval meter is not registered in its Meter Registry or that the Meter Registry information is not consistent with the information in the application to register the Facility; and</p> <p>(ii) if the controllability assessment undertaken by AEMO in accordance with clause 2.29.4M determines that the Facility is not able to meet the controllability requirements for the requested Facility Class; and or</p> <p>(iii) if the Facility is not able to meet the requirements applicable for the requested Facility Class;</p> <p>(k) in the case of an application to de-register a Facility, the Market Participant holds Capacity Credits for the Facility; or</p> <p>(l) in the case of an application to transfer a Facility, the transfer of the Facility would result in the number of Capacity Credits allocated for a Trading Month for the Facility by the Market Participant transferring the Facility exceeding the number of Capacity Credits held for that Trading Month for the Facility by the Market Participant that are able to be traded bilaterally under the WEM Rules; or</p>
23	2.32.2	Typographical	Grammatical suggestions.	<p><u>2.32.2:</u></p> <p>AEMO must issue a public notice that the Rule Part-Participant has been suspended from the market including details of the suspension.</p>
24	2.32.7B	Minor	<p>Synergy notes that clause 2.32.7B(e) does not exist and suggests the clause reference should instead be clause 2.32.7BB(e).</p> <p>Suggest at the start of the clause the “” after “If” is removed.</p>	<p><u>2.32.7B:</u></p> <p>If—</p> <p>...</p> <p>(b) if AEMO becomes aware that a Rule Participant registered in the classes outlined in clause 2.28.1(a) or (b) no longer meets all of the criteria specified in clause 2.28.19 (whether as a result of being informed by the Economic Regulation Authority or otherwise), then subject to clause 2.32.7BB(e) AEMO must issue a Registration Correction Notice to that Rule Participant.</p>
25	2.33.3(c)(viii)	Typographical	Missing ‘of’.	<p><u>2.33.3(c)(viii):</u></p> <p>(c)...</p> <p>viii the type of Facility as defined under clause 2.29.1AA;</p> <p>...</p>

1) Registration Framework (Sections 1.47, 1.5X, 2.28 - 2.34)

#	Rule ref.	Classification	Issue	Suggestion
26	2.34.4	Comment	Synergy notes that Consequential Outages will only be rendered obsolete come the new market. Ideally, the proposed amendment to preclude 'proposed Planned Outages' from Standing Data AEMO notifications can commence at any time, whereas the revision to remove Consequential Outages from this obligation should only be removed beyond the New WEM Commencement Day. Synergy encourages EPWA to consider the effective date of this clause and potentially consider breaking it up into two parts.	N/A
27	2.34.11	Minor	Suggest "or an exempt person" is also included towards the end of the clause.	2.34.11: AEMO may require that a Rule Participant or an exempt person provide updated Standing Data for any of its Facilities if AEMO considers the information provided by the Rule Participant or an exempt person to be inaccurate or no longer accurate.
28	2.34.12B	Typographical	Suggest this clause is moved to section 2.29 and located close to clause 2.29.4F or clause 2.29.4L.	N/A
29	Glossary	Minor	Suggest the text "such as generation systems or Electric Storage Resources" is reinstated as it provides additional clarity.	Energy Producing System: One or more electricity producing resources or devices, such as generation systems or Electric Storage Resources, located behind a single network connection point or electrically connected behind two or more shared network connection points.

3 TRANCHE 5 AMENDING RULES – GRANDFATHERING OF INTERMITTENT LOADS

2) Grandfathering of Intermittent Loads (Sections 1.48, 2.30B)				
#	Rule ref.	Classification	Issue	Suggestion
30	1.48.1, 1.48.2, 1.48.3 & 1.48.4	Minor	Synergy notes that the proposed removal of clause 1.48.1 removes the locally defined terms 'Post-Amended Rules' and 'Pre-Amended Rules', however these locally defined terms are still used in clauses 1.48.2, 1.48.3 and 1.48.4. Suggest clause 1.48.1 is reinstated or alternatively clauses 1.48.2, 1.48.3 and 1.48.4 are redrafted to remove the reference to these terms.	<p>1.48.1: {Blank}</p> <p>In this section 1.48: Post-Amended Rules: Has the meaning in section 1.36C where the relevant Tranches 2 and 3 Amending Rules Commencement Day is the day that this section 1.48 commenced. Pre-Amended Rules: Has the meaning in section 1.36C where the relevant Tranches 2 and 3 Amending Rules Commencement Day is the day that this section 1.48 commenced.</p>
31	2.30B.8B(c)	Minor	It is unclear whether all, or at least one requirement stipulated in clause 2.30B.8B(d) must be satisfied to determine exemption. However, as clause 2.30B.8C requires exemption to be revoked if any of the criteria in 2.30B.8B(c) is no longer satisfied, Synergy requests EPWA add an ‘; and’ at the end of clause 2.30B.8B(c) to avoid ambiguity.	<p>2.30B.8B(c): ... (c) the meter or meters measuring the Facility is associated with a registered Market Participant who is responsible for settlement of the Metered Schedule for the Facility; and ...</p>
32	2.30B.9A	Typographical	Suggest the subclause wording is de-capitalised.	<p>2.30B.9A: ... (a) wWhere the Intermittent Load is part of a Registered Facility, a Registered Facility component; (b) wWhere the Load was deemed to be an Intermittent Load under clause 1.48.2, an Intermittent Load component; and</p>
33	2.30B.10	Typographical	Suggest that “AMQ-NL” is replaced with either “AMQ – NL” or “AMQ minus NL” to avoid confusion as “AMQ-NL” could be misinterpreted as a hyphenated term.	N/A
34	2.30B.11	Typographical	Suggest the subclause wording is de-capitalised and “or” is added to the end of 2.30B.11(a)i2 and 2.30.B11(a)ii2.	<p>2.30B.11: ... (a) wWhere Intermittent Load is part of a Registered Facility: i. 2. the Metered Schedule for the Non-Dispatchable Load is zero; or ii. ... 2. the Metered Schedule for the Non-Dispatchable Load is the metered energy measured by the meter in Meter Data Submissions; or (b) wWhere the Intermittent Load is not part of a Registered Facility, ...</p>

4 TRANCHE 5 AMENDING RULES – NON CO-OPTIMISED ESSENTIAL SYSTEM SERVICES FRAMEWORK

3) Non Co-Optimised Essential System Services Framework (Section 2.1A, 2.2C, 2.2D, 3.11A,)				
#	Rule ref.	Classification	Issue	Suggestion
35	General	Clarification	<p>Synergy would like to further understand how the Transmission System Plan (TSP), the Network Opportunities Map (NOM) and the Whole of System Plan (WOSP) sit together.</p> <ul style="list-style-type: none"> • What are the unique purposes/focuses of each publication • Where might they overlap • What is the process if there are inconsistent outcomes • Will there be appropriate network incentives for the Network Operator and how will they be determined/identified. 	N/A
36	2.1A.2(eD)	Minor	Suggestion to add reference to the relevant clause to align with proposed clause 2.2C.1(bC).	<p>2.1A.2: ... (eD) to procure, schedule, dispatch and settle NCESS as set out in section 3.11A and 3.11B of these WEM Rules;</p>
37	3.11A.2	Moderate	<p>Suggest a WEM Procedure is developed to ascertain how AEMO and Western Power intend to satisfy the trigger events stipulated under clause 3.11A.2 for regulatory clarity. For instance, Synergy is interested to understand what are the ‘network adequacy requirements’, as well as what constitutes as an ‘unreasonable level’, ‘significant impact’ and ‘significant threat’.</p> <p>Additionally:</p> <ul style="list-style-type: none"> • For subclause (b) and (c) Synergy would like to understand how Project Eagle may interact with these subclauses in terms of possible amendments to the WEM Objectives; • For subclause (e), Synergy would like to understand what circumstances this subclause may be likely to address, and what steps are taken to check that existing mechanisms are unable to address the issue prior to the NCESS being triggered. Further, a change to the Technical Standards should be considerate of WEM impacts prior to allowing the amendments. <p>Proposed drafting amendments have been provided for Typographical issues.</p> <ul style="list-style-type: none"> • suggest the “.” at the start of the clause number is removed; • suggest “may meet” is replaced with “may assist in meeting” in (a). 	<p>3.11A.2: ... (a) the Transmission System Plan prepared under section 4.5B identifies that a suitable non-network investment option may assist in meeting network adequacy requirements to help maintain SWIS Power System Security and Power System Reliability standards; ...</p>
38	3.11A.3(b)	Minor	<p>Suggest the subclause specifies an actual timeframe in place of “sufficient time” – i.e. “within no more than XX business days of identifying the potential NCESS requirement”.</p> <p>Further Synergy would like to understand how the situation will be managed if there isn’t “sufficient time”</p>	N/A

3) Non Co-Optimised Essential System Services Framework (Section 2.1A, 2.2C, 2.2D, 3.11A,)

#	Rule ref.	Classification	Issue	Suggestion
39	3.11A.4(a)	Major	Suggest that the scope of clause 3.11A.4(a) is clarified to ensure that the NCESS is only triggered if the high prices occur for an extended period, and that an NCESS cannot be triggered for each and every time that high price outcomes occur.	3.11A.4(a): (a) the Market Clearing Price for any of the Frequency Co-optimised Essential System Services has reached an unreasonable level for a sustained period, when assessed against the Wholesale Market Objectives;
40	3.11A.5	Clarification	Synergy notes that the Explanatory Note above this clause mentions advice from Technical Experts. Synergy would like clarity if the Technical Experts are in addition to AEMO and the Network Operator, if so the clause should be amended to include Technical Experts as well. Further Synergy would like to understand what arrangements are in place for the costs of Technical Experts and how these costs are to be recovered from the market.	N/A
41	3.11A.6	Minor	Suggest that clause 3.11A.6 is amended to also apply the timeframe to clause 3.11A.4.	3.11A.6: The Coordinator must determine whether to trigger an NCESS procurement within 20 Business Days of the later of: (a) receiving a submission under clause 3.11A.2; or (b) the Coordinator becoming aware of one of the trigger events as specified in clause 3.11A.4; or (b) (c) receiving further information or analysis under clause 3.11A.5.
42	3.11A.7(a) and (b)	Typographical	Suggest the word “will address” is replaced with “may contribute to addressing” and “will result in” is replaced with “may contribute to” as a NCESS process may only be able to solve part of the issue or may also maintain costs at current levels. Additionally, the solution may be attempting to solve a future issue which may not eventuate.	3.11A.7: ... (a) the extent to which an NCESS will may contribute to addressing the Power System Security or Power System Reliability issue; (b) the extent to which an NCESS will may contribute to result in minimising costs in the WEM; ...
43	3.11A.7(f)	Clarification	Synergy would like to understand how Project Eagle might interact with subclause (f) of this clause in relation to the WEM Objectives.	N/A
44	3.11B.2	Typographical	Suggest minor reorganising of wording and adding the word “in”.	3.11B.2. Within 10 Business Days of the publication of the determination under clause 3.11A.8, AEMO or a Network Operator, as applicable, must publish the draft NCESS Service Specification prepared in accordance with clause 3.11B.5, and call for expressions of interest, on their website and in a major newspaper, and call for expressions of interest.

3) Non Co-Optimised Essential System Services Framework (Section 2.1A, 2.2C, 2.2D, 3.11A,)

#	Rule ref.	Classification	Issue	Suggestion
45	3.11B.3, 3.11B.6	Major	<p>Synergy notes that the timeframes for submissions for the EOI and RFT very tight and may limit the participation to only existing facilities. Synergy suggests that the timeframes used should be able to be amended appropriately to reflect the type and timing of service to be provided. For a NCESS process that is looking to procure for 2 years in the future, the 20 Business Days will not be long enough for potential new projects to participate. Synergy suggests that wording is amended to reflect the ability for AEMO/Network Operator to choose an appropriate timeframe.</p> <p>Synergy’s proposed drafting amendments attempt to allow for AEMO or the Network Operator to use their discretion in determining the timeframes for submissions.</p>	<p>3.11B.3: AEMO or a Network Operator, as applicable, must advise of the date and time for lodgement allow 20 Business Days for prospective service providers to submit of expressions of interest in response to the draft NCESS Service Specification by prospective service providers. The expression of interest must outline whether the facility or equipment or service can fully or partially meet the draft NCESS Service Specification.</p> <p>3.11B.6: AEMO or the Network Operator, as applicable, must publish a request for tender on their website and a major newspaper. The request for tender must include: (a) the NCESS Service Specification prepared under clause 3.11B.4(a) or 3.11B.4(b) as applicable; and (b) the date and time for lodgement of call for NCESS Submissions. to be submitted within 20 Business Days from the date of the request.</p> <p>3.11B.6A: (new) In determining the date and time for lodgement for: (a) the expression of interest under clause 3.11B.3; and (b) the NCESS Submissions under clause 3.11B.6; AEMO or the Network Operator, as applicable, must consider the nature of the service required by the NCESS and allow appropriate time for prospective service providers to respond, which must be no less than 20 Business Days.</p>

3) Non Co-Optimised Essential System Services Framework (Section 2.1A, 2.2C, 2.2D, 3.11A,)

#	Rule ref.	Classification	Issue	Suggestion
46	3.11B.7, Chapter 5	Major	<p>Synergy agrees with the policy position that customers should not be charged twice for the same service (such as paying capacity revenue via the RCM as well paying under an NCESS contract) and the NCESS contract pricing should be appropriately limited. However, the current drafting of clause 3.11B.7 and the Explanatory note for Chapter 5 do not appear to allow for the NCESS provider to make any profit or include a risk premium in their pricing structure.</p> <p>If the NCESS provider is providing the service “at cost” they may be unwilling to participate, particularly if they are exposed to contractual damages /penalties if they fail to provide the service due to outage or similar. Further, facilities (particularly new entrants or DER technologies) should be incentivised to make their facilities “service ready” for potential future NCESS requirements, however the proposed drafting may not provide this signal as the additional costs would be incurred upfront at build (or installation for DER solution); and may not be seen as “incremental costs” under the proposed drafting.</p> <p>Synergy notes that there is a value to the WEM associated with the provision of the NCESS (and a cost for the non-provision), the payments for NCESS should be considerate of these, along with the likely costs of alternative options to solve the NCESS issue.</p>	N/A
47	3.11B.10	Moderate	<p>Synergy suggests that subclause item (ii) is amended to tie to the WEM Objectives instead of “the highest value for money” as the current wording may limit AEMO or the Network Operator from selecting a cheaper alternative that has a shorter timeframe or combining two cheaper options instead of one more expensive option.</p> <p>Further as per item 45, Synergy questions whether 10 business days is enough time for AEMO or the Network Operator to determine the most suited applicant; and will unlikely allow for any further negotiations if required. Synergy would also like to understand what the process is if there is no suitable solution from the process or if negotiations are not finalised within the set timeframe.</p>	<p>3.11B.10: Within 10 Business Days of receipt of NCESS Submissions in response to a request for tender, AEMO or the Network Operator, as applicable, must:</p> <p>(a) select the NCESS Submission(s) which:</p> <ul style="list-style-type: none"> i. complies with the requirements outlined in clause 3.11B.7; ii. meets the NCESS Service Specification published in the request for tender; and iii. in AEMO’s or the Network Operator’s reasonable opinion, will result in better outcomes in line with the WEM Objectives the highest value for money for providing the NCESS; and <p>(b) notify the existing or intending Market Participants in respect to the facility or equipment that is approved for an NCESS Contract.</p>
48	3.11B.11(a)	Clarification	Synergy seeks clarification on what “complying” means in terms of the offers, such as is an offer for a shorter time period still seen as complying?	N/A
49	Section 5.2A	Clarification	<p>Synergy would like to further understand how the allowable charges under the NCESS will be calculated and what assumptions will be made for future years Capacity revenue and energy revenue.</p> <p>Further how will potential limitations in NAQs be accounted for in the NCESS. Will the costs be done such the actual revenues are used rather than estimates?</p>	N/A

3) Non Co-Optimised Essential System Services Framework (Section 2.1A, 2.2C, 2.2D, 3.11A,)

#	Rule ref.	Classification	Issue	Suggestion
50	5.2A.1, 5.2A.2, 5.3A.1, 5.3A.2, 5.7.2, 5.7.3, 5.7.4	Typographical	Suggest “an NCESS” should instead be “a NCESS”	<p>5.2A.1: Where a Market Participant enters into a a NCESS Contract for a Facility, the Market Participant must ...</p> <p>5.2A.2: Where a Market Participant enters into a a NCESS Contract for a Facility...</p> <p>5.3A.1: When a Network Operator has entered into a a NCESS Contract with a Market Participant, the Network Operator must as soon as practicable and not less than 20 Business Days prior to a a NCESS Contract taking effect, provide AEMO with:</p> <p>5.3A.2: When any change occurs to the details of a a NCESS Contract ...</p> <p>5.7.2: AEMO may call upon the relevant Facility or equipment to provide services under a a NCESS Contract ...</p> <p>5.7.3: Where applicable, AEMO must construct relevant Constraint Equations to reflect the terms of a a NCESS Contract ...</p> <p>5.7.4: Where the terms of a a NCESS Contract cannot be ...</p>
51	5.9.1	Typographical	Suggest that the last part of the clause is made into a subclause. Note that “.” is missing at the end of the clause and the font size for the clause number appears inconsistent	<p>5.9.1: ... (b) the set of Registered Facilities providing services under the NCESS Contract whose EOI Quantity is higher than it otherwise would have been as a result of a binding Constraint Equation applied under clause 7.2.4(iA) relating to the NCESS Contract; and (c) the payment to be made by AEMO for services provided under the NCESS Contract.</p>
52	9.9.9	Typographical	Synergy suggests that the mathematical notation within the formula is amended for consistency with other formulas within the WEM Rules, noting that the symbols “ \mathcal{E} ” and “ \mathcal{V} ” are not used elsewhere within the rules. The formula and the definition of the indices should be amended to address this. Alternatively, the formula could be written out in words to improve clarity. Note that the spacing at the start of subclause (g) is inconsistent.	N/A
53	9.10.45.	Moderate	Synergy suggests the cost allocation methodology should be further reviewed to ensure that the allocation is appropriate. Other alternative options would be for the Network Operator to pay the costs and then recover these via network tariffs, or alternatively a causer pays methodology may be an appropriate alternative.	N/A
54	Glossary	Typographical	Suggest the term “NCESS” is also defined.	NCESS: See Non-Co-optimised Essential System Service.
55	Glossary	Typographical	Suggest the term “WEM Technical Standard” is defined.	N/A

5 TRANCHE 5 AMENDING RULES – RESERVE CAPACITY OBLIGATIONS

4) Reserve Capacity Obligations (p145-159)				
#	Rule ref.	Classification	Issue	Suggestion
56	4.12.5(c) and Glossary	Moderate	<p>The definition for Electric Storage Resource Obligation Interval and the use of the term is circular and does not provide clarity.</p> <p>The term is defined as the intervals in which the ESR has an RCOQ. However, in clause 4.12.5(c) the term is used to determine if the ESR has an RCOQ or not.</p> <p>Suggest the definition of the term is amended for clarity.</p>	<p>Electric Storage Resource Obligation Interval: A Trading Interval, that AEMO has determined in accordance with clause 4.11.3A, in which in which Electric Storage Resources have a non-zero Reserve Capacity Obligation Quantities Quantity is applied to an Electric Storage Resource.</p>
57	4.12.5(g)	Moderate	<p>Synergy notes that if an Electric Storage Resource is pre-warned of a direction under 7.7.5, it may also be required to limit its output in the Dispatch Intervals prior to the event, where the direction would require the battery to charged at a level that would be unachievable if it dispatched its RCOQ in the prior interval.</p> <p>For illustration, say the ESROI is 2pm to 6pm, it's a 100 MW ESR, so 25 MW RCOQ. If AEMO provides a dispatch instruction at 1:30pm stating it will need the full 100MW of the ESR at 4pm, the ESR will not be able to make 25MW available in the 2pm to 4pm window. If the ESR were to offer its RCOQ then at 4pm it would only have 50MW available for the dispatch instruction.</p> <p>Synergy suggests that the clause is amended so that the RCOQ is set to zero for all ESROI when there is dispatch instruction, or alternately, the clause is expanded to capture this scenario as well.</p> <p>Note that further refinements may be needed if the ESROI were to fall towards at the start of the Trading Day and a Dispatch Instruction is issued for Trading Intervals towards the end of the Trading Day prior.</p>	<p>4.12.5(g): ... (g) where:</p> <ul style="list-style-type: none"> i. AEMO issues a direction under clause 7.7.5 in respect of a Registered Facility containing a Separately Certified Component which is an Electric Storage Resource; and ii. the direction requires the Registered Facility to operate at a level higher than its Reserve Capacity Obligation Quantity in the Dispatch Interval to which the direction relates, <p>the Reserve Capacity Obligation Quantity for the Electric Storage Resource is reduced to zero for all subsequent Dispatch Intervals in the relevant Trading Day and clause 4.12.5(f) does not apply for those Dispatch Intervals.</p>

6 TRANCHE 5 AMENDING RULES – TESTING MONITORING AND COMPLIANCE

5) Testing Monitoring and Compliance (p160-174)

#	Rule ref.	Classification	Issue	Suggestion
58	4.25.1	Moderate	Suggest that the testing for Electric Storage Resources should not necessarily be tied to the Electric Storage Resource Obligation Intervals (e.g. say 3pm to 7pm), and instead should be able to be done in any consecutive Peak Trading Intervals provided that the RCOQ is maintained for the Electric Storage Resource Obligation Duration (i.e. four hours).	N/A
59	4.25.1(a)	Typographical	Suggest “which,” is added at the start of the line after 4.25.1(a)ii.	4.25.1(a): (a) ... i. 1 October to 31 March; and ii. 1 April to 30 September, which , for a Non-Intermittent Generating System must be achieved on each type of fuel detailed under clause 4.10.1(e)(v)(1)(ii); and
60	4.25.2(a)i1 and 4.25(e)i1.	Moderate	Synergy suggests that the requirement for a Non-Intermittent Generating System to now operate at its required level for two Trading Intervals for voluntary testing via observation is removed and revert back to the current requirements. The change to the voluntary testing requirements will increase costs for Non-Intermittent Generating Systems, which will then look at passing these increased costs onto consumers.	4.25.2: AEMO may verify the matters specified in clause 4.25.1 by: (a) in the case of Facility that is not required to install Facility Sub-Metering in accordance with clause 2.29.12: i. observing the Facility operate as part of normal market operations as determined from Meter Data Submissions for not less than: 1. for a Non-Intermittent Generating System, two one Trading Intervals; or 2. for an Electric Storage Resource, the Electric Storage Resource Obligation Duration; or ii. (e) in the case of a Facility required to install Facility Sub-Metering in accordance with clause 2.29.12: i. observing the Facility operate in respect of each Separately Certified Component, as part of normal operations as determined from Meter Data Submissions and meter data recorded by the Facility Sub-Metering, for not less than: 1. for a Non-Intermittent Generating System, two one Trading Intervals; or 2. for an Electric Storage Resource, the Electric Storage Resource Obligation Duration; or ii. ...

7 TRANCHE 5 AMENDING RULES – OTHER ISSUES

6) Other Issues (p200 +)				
#	Rule ref.	Classification	Issue	Suggestion
61	4.10.1(m) 4.10A.1, 4.10A.5	Moderate	<p>Synergy is of the view that “part of a Facility” should be allowed to be considered as a Network Augmentation Funding Facility. This will allow for existing facilities (and new entrants in later years) to be able to fund a Network Augmentation without having to upgrade their facility. Thus, the facility is currently operating with little to no NAQs and has determined that it needs Capacity Credits for whatever reason, it can then fund network augmentation in order to procure NAQs and Capacity Credits. Synergy understands that the policy intent of Network Augmentation Funding Facilities was to allow for existing facilities to also participate, and without requiring them to do an upgrade.</p> <p>Synergy suggests that “part of the facility” is reinstated, and clause 4.10A.1 is also amended.</p>	<p>4.10.1(m): (m) subject to clauses 4.10A.2 and 4.10A.3, a Market Participant that wishes to nominate that its Facility, part of its Facility or an upgrade of its Facility, be classified as a Network Augmentation Funding Facility, must provide to AEMO:</p> <p>i. a notice in writing from the Market Participant nominating that the Facility, part of the Facility or an upgrade of the Facility, as applicable, be classified as a Network Augmentation Funding Facility; and</p> <p>...</p> <p>4.10A.1: A reference to a Facility in this section 4.10A includes an upgrade of a Facility or part of a Facility for which the Market Participant has nominated to be classified as a Network Augmentation Funding Facility under clause 4.10.1(m).</p> <p>4.10A.5: A Facility, part of a Facility or upgrade to a Facility will be classified as a Network Augmentation Funding Facility, in respect of the Reserve Capacity Cycle to which the application for Certified Reserve Capacity for the Facility submitted under clause 4.9.1 relates, where:</p> <p>(a) the Market Participant has nominated that the Facility, part of the Facility or upgrade to the Facility, be classified as a Network Augmentation Funding Facility in its application for certification of Reserve Capacity in respect of the Facility under clause 4.10.1(m);</p> <p>....</p>
62	9.12.2	Typographical	Suggest the words “Chapter 1” and “Chapter 2” are removed under “where”.	<p>9.12.4A: The Market Participant Coordinator Fees settlement amount for Market Participant p for Trading Day d is:</p> $MPCF_SA(p,d) = -CoordinatorFeeRate(d) \times ParticipantContribution(p,d)$ <p>where:</p> <p>Chapter 1CoordinatorFeeRate(d) is the charge per MWh for funding the Coordinator’s activities with respect to the Wholesale Electricity Market and other functions under these WEM Rules and the Regulations determined as the Market Participant Coordinator Fee rate in accordance with clause 2.24.2 for the year in which Trading Day d falls; and</p> <p>Chapter 2ParticipantContribution(p,d) is calculated in accordance with clause 9.12.5.</p>