

Meeting Agenda

Meeting Title:	Evolution of the Pilbara Networks Rules Working Group (EPNRWG)
Workstream	Workstream 1 (PNR Workstream)
Date:	Thursday 18 June 2026
Time:	9:30 AM – 11:30 AM
Location:	Online, via TEAMS

Item	Item	Responsibility	Type	Duration
1	Welcome and Agenda <ul style="list-style-type: none"> Conflicts of interest Competition Law 	Chair	Noting	1 min
2	Meeting Apologies/Attendance	Chair	Noting	1 min
3	Minutes of Meeting 2026_05_07	Chair	Noting	1 min
4	Introduction	Chair	Discussion	5 min
5	PNR Entity taxonomy	RBP	Discussion	40 min
6	Who must register as an NSP	RBP	Discussion	40 min
7	Information management framework	RBP	Discussion	30 min
8	General Business	Chair	Discussion	2 min
	Next meeting: Thursday 9 July 2026 9:30 am – 11:30 am			

Please note, this meeting will be recorded.

Competition and Consumer Law Obligations

Members of the PAC's Evolution of the Pilbara Networks Rules Working Group (**Members**) note their obligations under the *Competition and Consumer Act 2010 (CCA)*.

If a Member has a concern regarding the competition law implications of any issue being discussed at any meeting, please bring the matter to the immediate attention of the Chairperson.

Part IV of the CCA (titled "Restrictive Trade Practices") contains several prohibitions (rules) targeting anti-competitive conduct. These include:

- (a) **cartel conduct**: cartel conduct is an arrangement or understanding between competitors to fix prices; restrict the supply or acquisition of goods or services by parties to the arrangement; allocate customers or territories; and or rig bids.
- (b) **concerted practices**: a concerted practice can be conceived of as involving cooperation between competitors which has the purpose, effect or likely effect of substantially lessening competition, in particular, sharing Competitively Sensitive Information with competitors such as future pricing intentions and this end:
 - a concerted practice, according to the ACCC, involves a lower threshold between parties than a contract arrangement or understanding; and accordingly; and
 - a forum like the EPNRWG is capable being a place where such cooperation could occur.
- (c) **anti-competitive contracts, arrangements understandings**: any contract, arrangement or understanding which has the purpose, effect or likely effect of substantially lessening competition.
- (d) **anti-competitive conduct (market power)**: any conduct by a company with market power which has the purpose, effect or likely effect of substantially lessening competition.
- (e) **collective boycotts**: where a group of competitors agree not to acquire goods or services from, or not to supply goods or services to, a business with whom the group is negotiating, unless the business accepts the terms and conditions offered by the group.

A contravention of the CCA could result in a significant fine (up to \$500,000 for individuals and more than \$10 million for companies). Cartel conduct may also result in criminal sanctions, including gaol terms for individuals.

Sensitive Information means and includes:

- (a) commercially sensitive information belonging to a Member's organisation or business (in this document such bodies are referred to as an Industry Stakeholder); and
- (b) information which, if disclosed, would breach an Industry Stakeholder's obligations of confidence to third parties, be against laws or regulations (including competition laws), would waive legal professional privilege, or cause unreasonable prejudice to the Coordinator of Energy or the State of Western Australia).

Guiding Principle – what not to discuss

In any circumstance in which Industry Stakeholders are or are likely to be in competition with one another a Member must not discuss or exchange with any of the other Members information that is not otherwise in the public domain about commercially sensitive matters, including without limitation the following:

- (a) the rates or prices (including any discounts or rebates) for the goods produced or the services produced by the Industry Stakeholders that are paid by or offered to third parties;
- (b) the confidential details regarding a customer or supplier of an Industry Stakeholder;
- (c) any strategies employed by an Industry Stakeholder to further any business that is or is likely to be in competition with a business of another Industry Stakeholder, (including, without limitation, any strategy related to an Industry Stakeholder's approach to bilateral contracting or bidding in the energy or ancillary/essential system services markets);
- (d) the prices paid or offered to be paid (including any aspects of a transaction) by an Industry Stakeholder to acquire goods or services from third parties; and
- (e) the confidential particulars of a third party supplier of goods or services to an Industry Stakeholder, including any circumstances in which an Industry Stakeholder has refused to or would refuse to acquire goods or services from a third party supplier or class of third party supplier.

Compliance Procedures for Meetings

If any of the matters listed above is raised for discussion, or information is sought to be exchanged in relation to the matter, the relevant Member must object to the matter being discussed. If, despite the objection, discussion of the relevant matter continues, then the relevant Member should advise the Chairperson and cease participation in the meeting/discussion and the relevant events must be recorded in the minutes for the meeting, including the time at which the relevant Member ceased to participate.




Department of
Energy and Economic
Diversification

EPNR Working Group

18 June 2026


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No.	Item	Duration
0	Introduction	5 min
1	PNR entity taxonomy	40 min
2	Who must register as an NSP	40 min
3	Information management framework	30 min



Design objectives

The NSP-to-NSP Connection Framework should be designed:

- to maintain Power System Security and Reliability on the NWIS;
 - to be efficient in terms of timeline and effort, and commercially feasible for all parties involved; and
 - provide clear guidance without unnecessary complexity.
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Drivers for changes to entity taxonomy

Drivers from EPNR Implementation Plan:

- 3.6 Storage participation – includes adding “Energy Production System” concept
- 3.17 NSP to NSP connections – including broadening CPC options
- 3.20 Self-Contained Network concept

Additional drivers/factors:


- Reducing conflation of physical facility attributes with compliance approach
 - Moving closer to consistency with ESM Rules
 - Uniqueness of Pilbara & NWIS arrangements
 - Commitment not to materially change CPC Facility scope
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WEM taxonomy


WEM taxonomy for registered networks and facilities:

- **Facility** – Networks are included in the concept of “Facility”
- **Facility Class**: Network, SF, SSF, NSF, Interruptible Load, DSP (defined based on dispatch characteristics)
- **Facility Technology Types**, which are components of a facility:
 - transmission system, distribution system
 - Intermittent Generation System, Non-Intermittent Generation System
 - Energy Storage Resource
 - Load

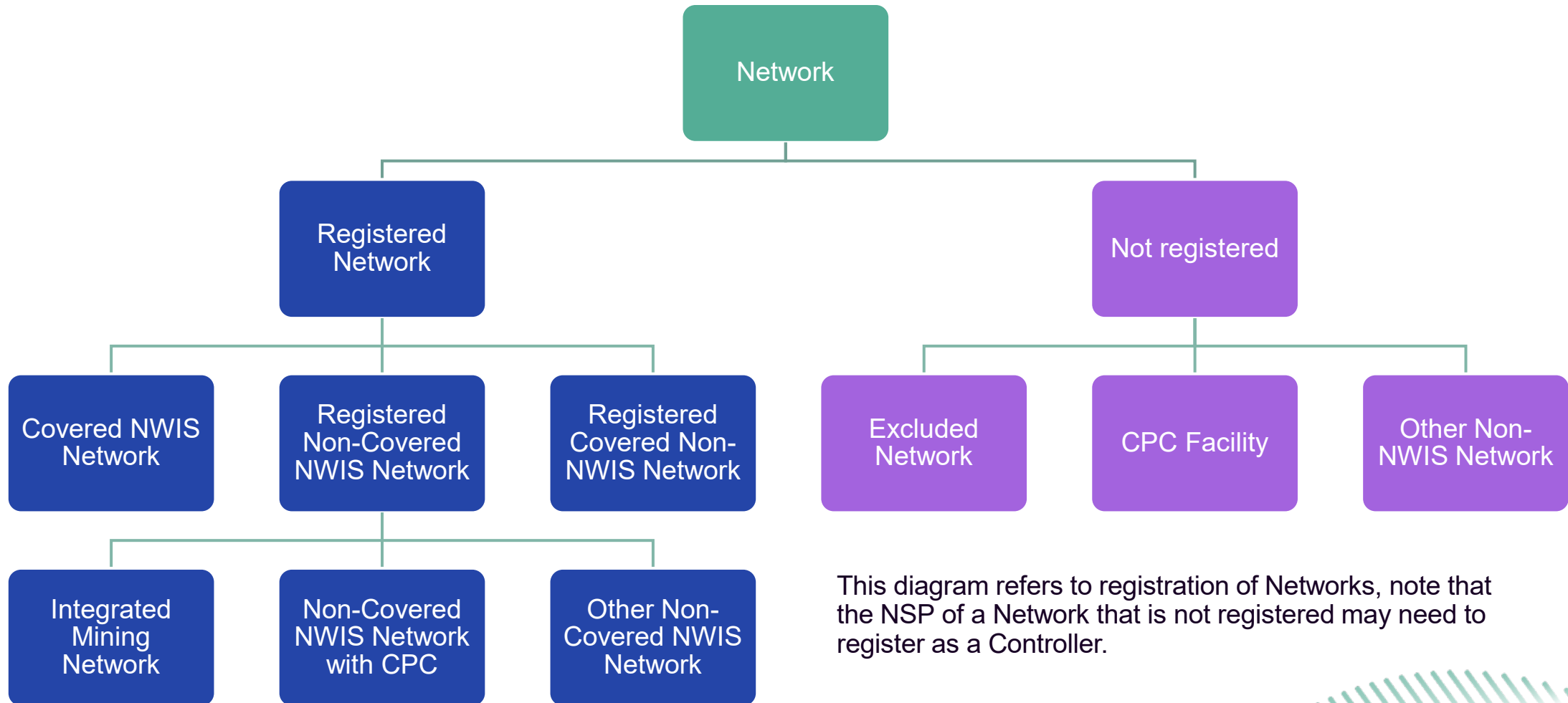
Key differences to PNR:

- In the WEM, Facility = Registered Facility so ESM Rules only apply to registered entities whereas the PNR applies in some respects to Networks/NSPs and Facilities/Controllers that are not required to register
 - ESM Rules only relate to the SWIS whereas PNR needs to consider NWIS and non-NWIS Networks
 - The PNR doesn't have concepts analogous to SF/SSF/NSF. Not needed for dispatch.
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Proposed PNR taxonomy – Networks

- Network – a network, registered or unregistered
 - **Registered Network** – a Network for which the NSP is required to register
 - **Registered Network Class:**
 - Covered NWIS Network (implies full compliance and not self-contained)
 - Registered Non-Covered NWIS Network
 - Registered Non-NWIS Network (implies Covered)
 - Network attributes (not registration classes):
 - NWIS or Non-NWIS
 - Covered or Non-Covered
 - Integrated Mining Network or not
 - Excluded or not
 - Self-contained (single Controller) or not
 - Compliance at Connection Point or full Compliance
- 

Proposed PNR taxonomy – Networks



Proposed PNR taxonomy – Facilities

- **Facility** – means either:
 - Energy Producing Facility (replaces Generating Facility)
 - Consumer Facility
 - A CPC Facility is a Network and connected Facility/Facilities treated as:
 - An Energy Producing Facility if it has generation >10MW, and wishes to export
 - A Consumer Facility otherwise
 - **Facility Components:**
 - Energy Producing System – Generating Unit and Energy Storage Resource are subtypes of EPS
 - Consumption Works
 - Distribution Network
 - Transmission Network
 - **Registered Facility** – a Facility for which the Controller is required to register, and must provide data to the ISO
 - **Registered Facility Classes:**
 - Registered Energy Producing Facility
 - Registered Consumer Facility
 - ESS Facility (may also be in one of the first two classes)
 - CPC Facility (will also be in one of the first two classes)
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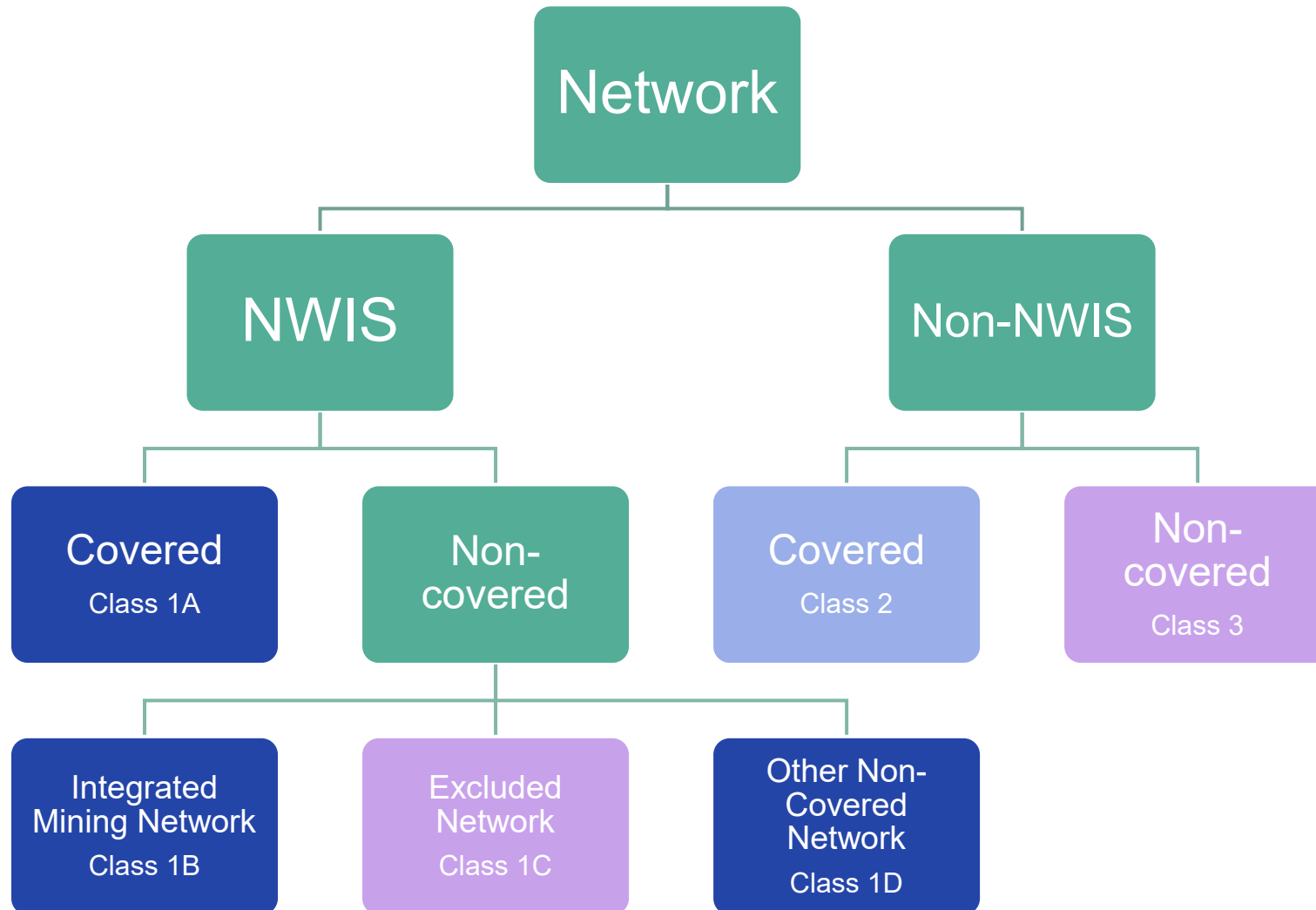
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Existing network categories and NSP registration requirements



Every Network has an NSP.
Some NSPs must register.

Key to NSP registration:
(Rule 91)



Excluded Networks and CPC Facilities – proposed eligibility requirements

Excluded Network eligibility:

- Connects Consumer Facility to NWIS
- No generator > 10 MW
- No PSSR risk after CPC Measures

Implications:

- Network not required to register
- Consumer Facility Controller registers
- Network treated as part of Consumer Facility
- Rules pertaining to Networks apply only where explicitly stated

Networks with no material transmission infrastructure can register as part of a Facility, with compliance assessed at the connection point.

CPC Facility eligibility for those with material transmission infrastructure:

- No third party access (single Controller)
- Import only
- Single connection point (exemption possible)
- PSSR risks can be addressed by CPC Measures

Implications:

- Register as Controller instead of NSP
- Network treated as Excluded Network
- CPC Measures for non-compliant equipment
- Visibility as required by ISO/CPC Measures

Connection point compliance for networks

Currently there are no Class 1D – Other Non-Covered NWIS Networks

A new Class 1D network would not meet proposed CPC Facility eligibility requirements, therefore its NSP would need to register.

Compliance for such a network could be assessed in two ways:

- Each connected facility is assessed, as is the network as a whole. This is how covered networks are assessed.
- With a focus on the connection point, and no assessment of connected facilities.

Is a new registration category required to allow CPC for a Class 1D network that is not eligible to be a CPC Facility?



Proposed CPC option for Non-Covered Networks

CPC option for Network – eligibility:

- No PSSR risk after CPC measures

Implications:

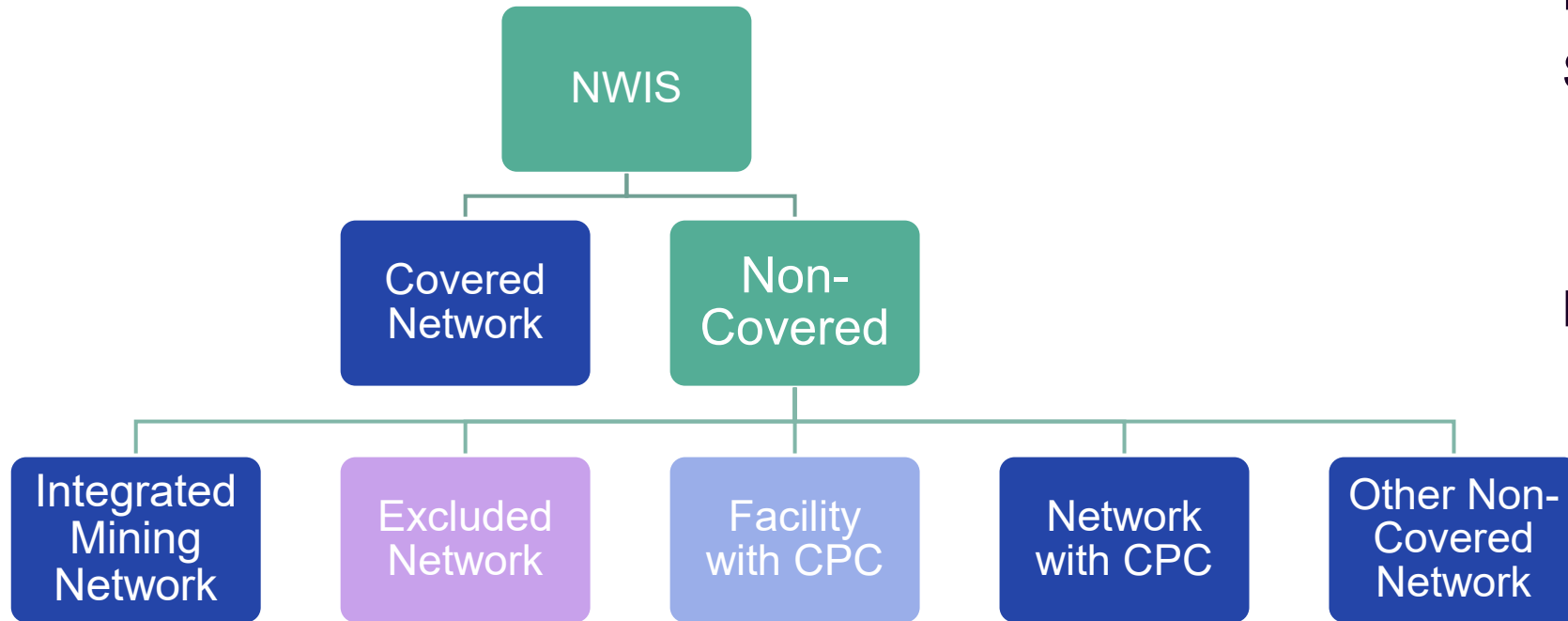
- NSP must register
- Not an Excluded Network
- Compliance with HTR assessed at Connection Point
- Any export must be registered as a separate Facility (similar to Intermittent Load in WEM)
- NSP must have CPC Measures in place, and ISO must approve.

- Monitoring/control equipment as required by ISO
- Visibility as required by ISO

Implications for network that doesn't meet requirements:

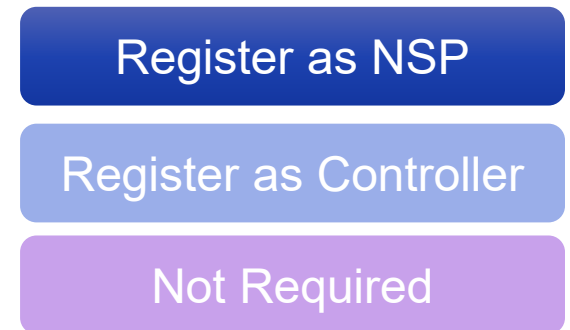
- Compliance assessed at Facility level
- Controller of each connected Facility, and each Facility must register (new requirement)
 - Standing Data
 - Visibility

Proposed NWIS Network registration requirements

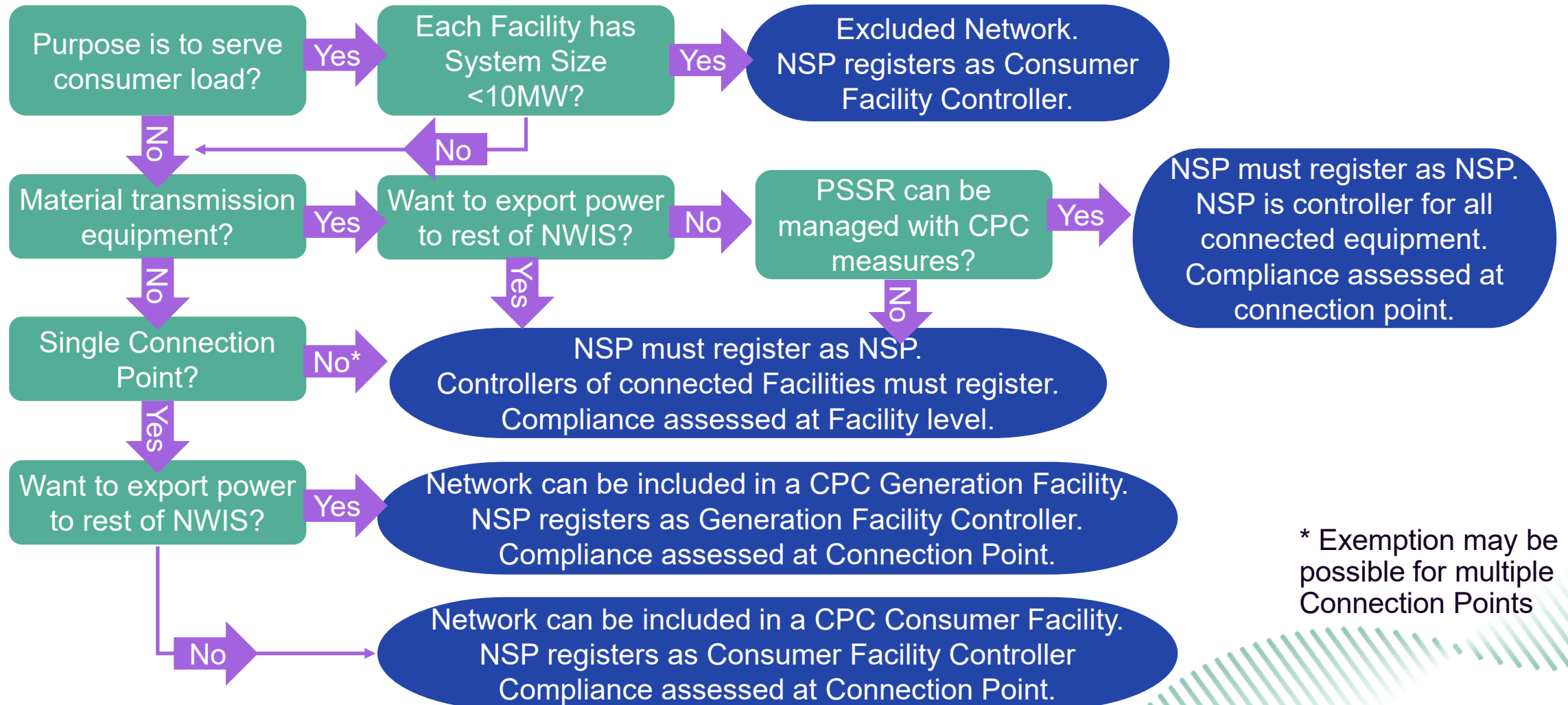


Every Network has an NSP.
Some NSPs must register.

Key to NSP registration:



Options for Non-Covered Network connecting to Host NWIS Network



* Exemption may be possible for multiple Connection Points

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Current state: Confidentiality objective

294 (1) The primary objective of this Subchapter 11.2 is —

*(a) to preserve the confidentiality of **Confidential Information** to the greatest extent practicable consistent with —*

(i) persons' performance of their functions under the Pilbara Regime; and

(ii) the Pilbara Electricity Objective and any applicable objective stated in these Rules;

and

(b) if a Recipient receives Confidential Information in Connection with the Pilbara Regime, to ensure that a Recipient uses it only for —

(i) the Recipient's performance of their functions under the Pilbara Regime; and

(ii) in accordance with the Pilbara Electricity Objective and any applicable stated objective.

294 (2) A secondary objective of this Subchapter 11.2 is to achieve the primary objective as quickly, simply, and with as little compliance burden and cost, as practicable.

Current state: What is confidential information?

295 (1) “Confidential Information” means, subject to rule 296, information that —

(i) by its nature is confidential; or

(ii) is specified to be confidential by the Discloser;

Do parties share information without marking it confidential?

How do parties decide whether information is confidential “by its nature”?



Current state: What is not confidential information?

296 The following is not Confidential Information for the purposes of these Rules —

(a) information which is in the Public domain or ascertainable from Public domain sources; and

(b) information which came into the Recipient's hands by means which did not create a duty of confidentiality under the Pilbara Regime; and

(c) information which the Recipient already possessed at the time it was disclosed to the Recipient by the discloser; and

(d) information which the Recipient develops independently

i.e. information that the recipient already had, or could have got, without the disclosure.



Current state: When can confidential information be disclosed?

Recipients can disclose other parties' confidential information:

- 301 To the ISO, the ERA, the Coordinator or the Minister
- 299 (1) When reasonably necessary to perform a function under the rules
- 300 (1) (a) with consent of the owner
- 300 (1) (b) to its advisors
- 300 (1) (c) & (d) as required by law, a court, an arbitrator, or a financial market
- 300 (1) (e) if it is anonymised so that the provider cannot be identified

305 When disclosure of confidential information is required under the rules, discloser is protected from civil or criminal liability.

All but the first require a pre-disclosure process.



Current state: The pre-disclosure process

303(2) Intending Discloser must consider the balance between —

- (a) the benefits associated with the Proposed Disclosure; and
- (b) any likely detriment to the relevant Information Owner or Information Owners from the Proposed Disclosure.

303(4) Intending Discloser must:

- (a) tell the Information Owner what they are planning to disclose and why
- (b) & (c) consider the Information Owner's views/redactions/changes
- (d) for a compelled disclosure, minimise what is disclosed and not hinder intervention by the Information Owner.

What pre-authorisations do parties have in place to reduce the overhead of information disclosure?



Current state: ISO's powers to request information

306 (1) ISO may, for the purposes of performing its functions, request a Rules Participant to give specified information to the ISO.


ISO gets to specify a deadline.

Participants must comply.

ISO has no power to get information from non-participants.



Implications of the current arrangements

- All information is confidential unless the recipient already knew it or could have known it. This is a broader confidentiality requirement than exists in most places.
 - All information that the recipient did not already have is to be protected to the greatest extent practicable.
 - Parties interpret the rules as only being able to share information if there is a positive head of power for doing so. This makes it difficult for prospective connections to access information, including the NWIS model.
 - Most disclosures need pre-review.
 - ISO does not have powers to request information from parties who are not Rule Participants. Having powers to request information from potential connectors would improve accuracy of long term planning.
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Proposal: information managers

PNR Information = information or a document that is produced, provided or exchanged under the PNR.

Every piece of PNR Information will have an Information Manager.

The Information Manager is different from the Owner.

The information manager is, in order of priority:

- The party who is required to publish the information
- The party who produces the information
- The party who receives the information
- The party determined by the Coordinator

In most cases the Information Manager will be the ISO, but may be the Coordinator, the ERA, or na NSP (in relation to information provided by connecting parties).




Proposal: confidential and public information

PNR Information must be confidential if it:

- is in a contract that specifies it to be confidential
- could pose a material risk to Power System Security or Power System Reliability if disclosed;
- reveals personal details about an individual (other than name and business contact details)
- could cause commercial detriment to a Rule Participant or another person if disclosed
- is explicitly specified as Confidential Information in the PNR.

Information must public if it is:

- specified as Public Information in the PNR;
 - required to be published or otherwise made publicly available under the PNR; or
 - available in the public domain, unless unlawfully or through PNR non-compliance
- 

Proposal: challenging classification

A Rule Participant can submit to the information manager that certain information should be confidential.

The participant can only do this if:

- the information explicitly relates to it, its Facilities, activities or contracts, or
- the information was provided to the participant by a third party, and it is under a duty or obligation to that third party to keep the information confidential.

The information manager must consider the submission, but is not bound to agree to every submission.

Participants can dispute the classification, and the outcome will be determined by the Coordinator.

Non-participants who request confidential information can dispute a decision to not release the information, and the outcome will be determined by the Coordinator.



Proposal: other matters

When a prospective connecting party has formally enquired about interconnection:

- They will be entitled to access the NWIS model
- The ISO will be entitled to request information for use in long term planning.

No pre-disclosure approval process, except in case of disclosure to the courts etc. In this case, information managers will still have an obligation to notify affected parties and provide an opportunity to dispute.

Confidential Information can be aggregated, arranged or combined with other information to turn it into public information, as long as what is published does not reveal confidential information.





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Thank-you