

National Electricity Code — Application for authorisation of amendments to New South Wales Derogations

Request for submissions

On 27 April 2005, the Australian Competition and Consumer Commission (ACCC) received applications for authorisation (Nos A90969, A90970 and A90971) of amendments to the National Electricity Code (code). These applications were lodged by the National Electricity Code Administrator (NECA).

New South Wales seek amendments to chapter 9 part B of the code to give effect to the revenue cap reopening provisions of the ACCC's Statement of Regulatory Principles on an interim basis. The application proposes that the derogations expire on 30 June 2009. The application seeks to insert new clauses 9.16.5(e) to (j) into the current NSW revenue cap derogations from chapter 6 of the code. In addition NSW seeks to insert a new definition in clause 9.11.1 of the code.

The ACCC has received a request for interim authorisation of the proposed NSW revenue cap derogations. The ACCC is currently considering this request.

To assist the ACCC's consideration of these applications, interested parties are invited to comment on the potential anti-competitive detriment and public benefit associated with the proposed amendments to the code. The ACCC also proposes to consider all submissions made to NECA that relate to the issues arising under these applications for authorisation.

All submissions will be placed on public register unless confidentiality for the submission (or any part of the submission) is requested. Submissions can be sent electronically to: electricity.group@acc.gov.au. Alternatively, written submissions or submissions on disk, in Word 7.0 compatible format, can be sent to:

Mr Sebastian Roberts
General Manager
Regulatory Affairs – Electricity
Australian Competition and Consumer Commission
PO Box 1199
Dickson ACT 2602

A copy of the application will be available from the ACCC website (<http://www.accc.gov.au>).

The closing date for submissions is **Thursday 19 May 2005**.

If you require further information please contact the Electricity Group on (03) 9290 1436.