

## ELECTRICITY CORPORATIONS ACT 2005

### MINISTERIAL DIRECTION

TO: The Electricity Networks Corporation

I, Bill Johnston, MLA, Minister for Energy, acting in accordance with section 111 of the *Electricity Corporations Act 2005* (WA), hereby direct the Corporation as follows —

#### Citation

1. This instrument may be cited as the *Electricity Corporations (Additional Payment for Outages) Direction 2022*.

#### Certain Outage Payments already made: additional \$40 to be paid

2. As soon as practicable after the date of this Direction the Corporation must identify all eligible persons to whom the Corporation has made an Outage Payment for an interruption occurring during the Applicable Period and pay that person the sum of \$40.
3. The payment of \$40 to a person in accordance with clause 2 is to be in addition to the \$80 already paid to that person by the Corporation in accordance with section 19 of the NQRS Code.
4. A payment in accordance with clause 2 may be made by the Corporation in accordance with section 22 of the NQRS Code.

[note: section 22 of the NQRS Code provides that a payment under section 18 or 19 may, instead of being made to the person concerned, be made by the corporation —

- (a) to the retail licensee who supplies electricity to the person if there is an arrangement in force under which the sum will be paid or credited to the person; or
- (b) as agreed between the corporation and the person.]

#### Payments made for other applications received during Applicable Period

5. On and from the date of this Direction until the cessation (end) of the Applicable Period the Corporation must, subject to clause 7, pay an eligible person who makes an application for compensation in accordance with s19 of the NQRS Code the sum of \$40.
6. The payment of \$40 to a person in accordance with clause 5 is to be in addition to the \$80 payable to that person in accordance with section 19 of the NQRS Code.
7. The Corporation is not to make a payment in accordance with clause 5 to a person who received a payment in accordance with clause 2 of this Direction.
8. The Corporation is only to make payment in accordance with clause 5 to an eligible person who applies to the Corporation for compensation within the 60 day period required by subsection 19(1)(b) of the NQRS Code.

9. A payment made in accordance with clause 5 is to be paid to the person concurrently with the payment to be made to that person under section 19 of the NQRS Code and may be made in accordance with section 22 of the NQRS Code.

#### **Payments to be made for applications made other than in accordance with s19**

10. If –
- (1) the supply of electricity by the Corporation to an eligible person is or was interrupted during the Applicable Period for more than 12 hours continuously (whether or not notice has been given to the person under section 11(1) or 11A(3) of the NQRS Code); and
  - (2) the person did not make an application to the Corporation for an Outage Payment within the 60 day period required by section 19 of the NQRS Code; and
  - (3) the person applies to the Corporation for compensation after the day that is 60 days after the interruption ceases,
- the Corporation must, subject to clause 11, pay the sum of \$120 in respect of the interruption to the person within 30 days after the application is made, and such payment may be made in the manner described in section 22 of the NQRS Code.
11. The Corporation's obligation to receive applications for compensation in accordance with clause 10 ceases at the close of business (5:00pm) on the day that is 60 days after the end of the Applicable Period, with the last day by which any compensation is to be paid being a further 30 days after that date.

#### **Definitions and interpretation**

12. In this Direction, the following terms have the following meanings:
- Applicable Period** means the period of time commencing at 12:00am on 1 January 2022 and finishing at 12:00am on 1 July 2022.
- Corporation** means the Electricity Networks Corporation referred to in section 4 of the *Electricity Corporations Act 2005 (WA)*.
- date of this direction** means the date this Direction becomes effective under section 113 of the *Electricity Corporations Act 2005 (WA)*.
- Direction** means this *Electricity Corporations (Additional Payment for Outages) Direction 2020*.
- eligible person** has the meaning given to that expression in section 16 of the NQRS Code.

[note, under section 16 of the NQRS Code, eligible person means —

- (a) a customer who is supplied with electricity from a distribution system operated by a corporation and who consumes not more than 50 MWh of electricity per year;
- or
- (b) a person who —
    - (i) at separately metered premises; or
    - (ii) at premises, other than separately metered premises, where the person principally resides or carries on a business, is supplied with electricity from a distribution system operated by a corporation and who consumes

not more than 50 MWh of electricity per year;]

**NQRS Code** means the *Electricity Industry (Network Quality and Reliability of Supply) Code 2005* made under the *Electricity Industry Act 2004* (WA).

**Outage Payment** means a compensation payment made to an eligible person by the Corporation in accordance with section 19 of the NQRS Code.



The Hon. Bill Johnston, MLA  
MINISTER FOR ENERGY