



Western Australia

Energy Operators (Powers) Act 1979

**Energy Operators (Regional Power
Corporation) (Charges) By-laws 2006**

As at 03 Oct 2014

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Energy Operators (Regional Power Corporation) (Charges) By-laws 2006

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Defined terms



Western Australia

Reprinted under the
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at 3 October 2014

Energy Operators (Powers) Act 1979

Energy Operators (Regional Power Corporation) (Charges) By-laws 2006

1. Citation

These by-laws are the *Energy Operators (Regional Power Corporation) (Charges) By-laws 2006*¹.

2. Commencement

These by-laws come into operation on 1 April 2006.

3. Terms used

In these by-laws, unless the contrary intention appears —
corporation means the body established by the *Electricity Corporations Act 2005* section 4(1)(d);

dwelling means a house, flat, home unit or other place of residence used solely for residential purposes;

RBA cash rate means the percentage (or maximum percentage) specified by the Reserve Bank of Australia as the Cash Rate Target;

residential tariff means Tariff A2;

Tariff followed by a designation means the tariff so designated in Schedule 1;

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unit, in relation to a charge for electricity, means one kilowatt hour.

[By-law 3 amended in Gazette 30 Mar 2009 p. 1000; 29 Jun 2012 p. 2900; 22 Aug 2014 p. 3017.]

[4A. *Deleted in Gazette 22 Aug 2014 p. 3017.]*

4. Electricity charges

- (1) The charges to be paid by consumers for the metered supply of electricity by the corporation are those specified in, or calculated in accordance with, Schedule 1.
- (2) The charges to be paid by consumers for the unmetered supply of street lighting by the corporation are those specified in Schedule 2 Division 1.
- (3) The charges to be paid by consumers for the unmetered supply of electricity except street lighting by the corporation are those specified in, or calculated in accordance with, Schedule 2 Division 2.

[By-law 4 amended in Gazette 30 Aug 2013 p. 4093-4.]

5. Application of residential tariffs

- (1) A consumer is entitled to be supplied on the basis of the residential tariff only if —
 - (a) the premises supplied consist of a dwelling; and
 - (b) the supply is not used for any industrial, commercial, business, or general purpose.
- (2) Notwithstanding that any premises would not otherwise be treated as a dwelling for the purposes of this by-law, the residential tariff may be applied if the premises or any part of the premises is independently supplied and separately metered solely for the purpose of a residential supply.

6. Meter rental

- (1) A consumer supplied by the corporation with electricity is liable to pay the rental specified in Schedule 3 in respect of each subsidiary meter used to meter the supply.
- (2) Sub-bylaw (1) does not apply to a consumer if —
 - (a) the premises supplied consist of a dwelling; and
 - (b) the supply is not used for any industrial, commercial, business, or general purpose; and
 - (c) the master account is supplied under the residential tariff.

7. Fees

The fees specified in Schedule 4 are payable in respect of the matters specified in that Schedule.

8. Payment

- (1) In this by-law —

relevant period means —

 - (a) in the case of a consumer to whom the *Code of Conduct for the Supply of Electricity to Small Use Customers* applies, the period ending on the due date for payment as specified by the corporation; and
 - (b) in any other case, the period of 14 days after payment is requested by the corporation.
- (2) A consumer supplied by the corporation must pay the appropriate charges specified in the Schedules within the relevant period.
- (3) Subject to the Act section 124(4a), if payment of a charge exceeding \$1 000 is not made in full within the relevant period, the consumer must pay an additional amount by way of interest for each day that the charge remains unpaid at a rate that is

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equal to the RBA cash rate as at that day increased by 6 percentage points.

- (4) An amount payable under sub-by-law (2) or (3) is recoverable in any court of competent jurisdiction as a debt due to the corporation.

[By-law 8 amended in Gazette 30 Mar 2009 p. 1000.]

[9. Deleted in Gazette 21 Sep 2012 p. 4423.]

10. Calculation of charges

- (1) Where a charge per unit specified in Schedule 1 depends on the number of units consumed per day the charge per unit is to be based on the average daily consumption in the accounting period.

[(2) deleted]

- (3) Where a charge calculated in accordance with a Schedule is an amount which is not a whole number multiple of 5 cents the amount is to be rounded up or down, as the case may be, to the nearest whole number multiple of 5 cents.

[By-law 10 amended in Gazette 27 Jun 2014 p. 2320.]

11. Changes in rates

Where during any accounting period a change in the applicable rate of charges occurs, the charge payable may be adjusted by reference to the date on which the change is to take effect or by reference to the date on which the change is applied to any applicable account, whichever results in the lower charge.

12. Prescribed rate of interest for s. 62(16) of Act

- (1) In this by-law —
interest period means the period in respect of which payment is made or credit is given.

- (2) For the purposes of section 62(16) of the Act, the rate at which interest is to be paid, or given credit for, by the corporation is —
- (a) the rate that is equal to the RBA cash rate for the interest period; or
 - (b) if there is more than one RBA cash rate for the interest period — the rate that is equal to the average of the RBA cash rates for that period.

[By-law 12 inserted in Gazette 30 Mar 2009 p. 1000-1.]

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Schedule 1 — Supply charges

[bl. 3, 4(1) and 10(1)]

[Heading inserted in Gazette 22 Aug 2014 p. 3018.]

1. Terms used

In this Schedule —

North West interconnected system has the meaning given in the *Electricity Transmission and Distribution Systems (Access) Act 1994* section 2;

regional non-integrated system means any electrical system of or conducted by the corporation from which electricity is supplied to consumers, other than the South West interconnected system and the North West interconnected system;

South West interconnected system has the meaning given in the *Electricity Industry Act 2004* section 3.

[Clause 1 inserted in Gazette 22 Aug 2014 p. 3018.]

2. Tariff L2 (general supply — low/medium voltage tariff)

- (1) Tariff L2 is available for low/medium voltage supply.
- (2) Tariff L2 comprises —
 - (a) a fixed charge at the rate of 42.8472 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 28.1603 cents per unit for the first 1 650 units per day; and
 - (ii) 25.4102 cents per unit for all units exceeding 1 650 units per day.
- (3) Tariff L2 is available subject to the condition that the consumer satisfies the corporation that the amount of electricity supplied to the consumer's premises will be less than 50 megawatt hours per annum.

[Clause 2 inserted in Gazette 22 Aug 2014 p. 3018.]

3. Tariff L4 (general supply — low/medium voltage tariff)

- (1) Tariff L4 is available for low/medium voltage supply.

- (2) Tariff L4 comprises —
 - (a) a fixed charge at the rate of 54.9960 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 36.1369 cents per unit for the first 1 650 units per day; and
 - (ii) 32.6175 cents per unit for all units exceeding 1 650 units per day.
- (3) Tariff L4 is available subject to the condition that the consumer satisfies the corporation that the amount of electricity supplied to the consumer's premises will be 50 megawatt hours or more per annum.
[Clause 3 inserted in Gazette 22 Aug 2014 p. 3018-19.]

4. Tariff M2 (general supply — high voltage tariff)

- (1) Tariff M2 is available for consumers supplied at 6.6 kV, 11 kV, 22 kV or 33 kV or such higher voltage as the corporation may approve.
- (2) Tariff M2 comprises —
 - (a) a fixed charge at the rate of 61.7368 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 39.1929 cents per unit for the first 1 650 units per day; and
 - (ii) 35.1999 cents per unit for all units exceeding 1 650 units per day.

[Clause 4 inserted in Gazette 22 Aug 2014 p. 3019.]

5. Tariff N2 (regional non-integrated systems — cost of supply tariff)

- (1) Tariff N2 applies to electricity supplied from a regional non-integrated system to Commonwealth, State or foreign government departments, instrumentalities, agencies or trading concerns except for local governments, regional local governments or other bodies corporate not prohibited by the *Local Government Act 1995* section 3.60.
- (2) Tariff N2 comprises —
 - (a) a fixed charge at the rate of 626.0430 cents per day; and

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- (b) a charge for metered consumption at the rate of 57.9480 cents per unit.

[Clause 5 inserted in Gazette 22 Aug 2014 p. 3019.]

6. Tariff P2 (North West interconnected system — cost of supply tariff)

- (1) Tariff P2 applies to electricity supplied from the North West interconnected system to Commonwealth, State or foreign government departments, instrumentalities, agencies or trading concerns except for local governments, regional local governments or other bodies corporate not prohibited by the *Local Government Act 1995* section 3.60.
- (2) Tariff P2 comprises —
 - (a) a fixed charge at the rate of 626.0430 cents per day; and
 - (b) a charge for metered consumption at the rate of 42.9550 cents per unit.

[Clause 6 inserted in Gazette 22 Aug 2014 p. 3019.]

7. Tariff A2 (residential tariff)

- (1) Tariff A2 is available for residential use only.
- (2) Tariff A2 comprises —
 - (a) a fixed charge at the rate of 45.1516 cents per day or, for multiple dwellings supplied through one metered supply point, a fixed charge at the rate of —
 - (i) 45.1516 cents per day for the first dwelling; and
 - (ii) 35.0581 cents per day for each additional dwelling;and
 - (b) a charge for metered consumption at the rate of 24.5961 cents per unit.

[Clause 7 inserted in Gazette 22 Aug 2014 p. 3019-20.]

8. Tariff C2 (special community service tariff)

- (1) Tariff C2 is available for small voluntary and charitable organisations, subject to the conditions listed in subclause (3).

- (2) Tariff C2 comprises —
- (a) a fixed charge at the rate of 40.7568 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 22.2159 cents per unit for the first 20 units per day; and
 - (ii) 27.8344 cents for the next 1 630 units per day; and
 - (iii) 25.1162 cents per unit for all units exceeding 1 650 units per day.
- (3) Tariff C2 is available subject to the following conditions —
- (a) the consumer must be a direct customer of the corporation;
 - (b) the consumer must be a voluntary, non-profit making organisation;
 - (c) the consumer must be endorsed as exempt from income tax under the *Income Tax Assessment Act 1997* (Commonwealth) Subdivision 50-B;
 - (d) the consumer must provide a public service, which is available to any member of the public without discrimination;
 - (e) the consumer must not be a Commonwealth, State or local government department, instrumentality or agency;
 - (f) the consumer must not receive the major part of its funding from any organisation mentioned in paragraph (e).
- (4) A consumer seeking supply under Tariff C2 must make an application to the corporation in writing accompanied by evidence which clearly demonstrates that the consumer meets all the conditions listed in subclause (3).

[Clause 8 inserted in Gazette 22 Aug 2014 p. 3020.]

9. Tariff D2 (special tariff for certain premises)

- (1) Tariff D2 is available for premises wholly used by a charitable or benevolent organisation for providing residential accommodation other than for commercial gain, being premises for which Tariff A2 is not available.
- (2) Tariff D2 comprises —
- (a) a fixed charge at the rate of 37.9691 cents per day; and

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- (b) if under subclause (3) there is deemed to be more than one equivalent domestic residence in the premises, a charge of 29.4813 cents per day for each equivalent domestic residence except the first that is deemed to be in the premises; and
 - (c) a charge for metered consumption at the rate of 20.6963 cents per unit.
- (3) The number of equivalent domestic residences deemed to be in particular premises is ascertained by dividing the facility's total bed capacity by 5 and, where the quotient is not a whole number, by increasing it to the next highest whole number.

[Clause 9 inserted in Gazette 22 Aug 2014 p. 3021.]

10. Tariff K2 (general supply with residential tariff)

- (1) Tariff K2 is available for premises where the circuit wiring is not separate and the electricity is used partly for general purposes and partly for residential purposes.
- (2) Tariff K2 comprises —
 - (a) a fixed charge at the rate of 45.1516 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 24.5961 cents per unit for the first 20 units per day; and
 - (ii) 28.1603 cents per unit for the next 1 630 units per day; and
 - (iii) 25.4102 cents per unit for all units exceeding 1 650 units per day.

[Clause 10 inserted in Gazette 22 Aug 2014 p. 3021.]

[Schedule 2A deleted in Gazette 22 Aug 2014 p. 3021.]

Schedule 2 — Unmetered supply

[bl. 4(2) and (3)]

[Heading inserted in Gazette 30 Aug 2013 p. 4095-6.]

Division 1 — Street lighting

[Heading inserted in Gazette 22 Aug 2014 p. 3021.]

| Item | Wattage | Type | Midnight Switch-off (Obsolescent) Cents per day | 1.15 a.m. Switch-off Cents per day | Dawn Switch-off Cents per day |
|---|---------|--|---|---------------------------------------|----------------------------------|
| <i>Street lighting on current offer and for existing services</i> | | | | | |
| Z.01 | 50 | Mercury Vapour | 32.8071 | 33.5096 | 36.0480 |
| Z.02 | 80 | Mercury Vapour | 38.6341 | 39.4963 | 43.4555 |
| Z.03 | 125 | Mercury Vapour | 47.7819 | 49.3305 | 54.9181 |
| Z.04 | 140 | Low Pressure Sodium | 48.8994 | 50.4959 | 56.9137 |
| Z.07 | 250 | Mercury Vapour | 59.2924 | 62.3096 | 73.5646 |
| Z.10 | 400 | Mercury Vapour | 87.8369 | 92.4347 | 109.9956 |
| Z.13 | 150 | High Pressure Sodium | 45.2595 | 46.9198 | 56.2111 |
| Z.15 | 250 | High Pressure Sodium | 67.0989 | 70.6751 | 84.4683 |
| Z.18 | per kW | Auxiliary Lighting in Public Places | Not applicable | Not applicable | 244.9436 |
| Z.59 | 66 | LED | 33.3484 | 34.3324 | 37.1439 |
| Z.60 | 132 | LED | 44.5166 | 46.6324 | 56.5562 |
| Z.61 | 198 | LED | 48.5135 | 51.9567 | 67.4898 |
| <i>Street lighting for existing services only</i> | | | | | |
| Z.05 | 250 | Mercury Vapour | 76.8374 | 79.8387 | 91.1096 |

Energy Operators (Regional Power Corporation) (Charges) By-laws 2006**Schedule 2** Unmetered supply**Division 1** Street lighting

| Item | Wattage | Type | Midnight Switch-off (Obsolescent) Cents per day | 1.15 a.m. Switch-off Cents per day | Dawn Switch-off Cents per day |
|-------------|----------------|---|--|---|--|
| Z.06 | 400 | Mercury Vapour | 105.3979 | 109.9956 | 127.4768 |
| Z.08 | 250 | Mercury Vapour 50% E.C. cost | 68.0568 | 71.0263 | 82.3292 |
| Z.09 | 250 | Mercury Vapour 100% E.C. cost | 76.8374 | 79.8387 | 91.1096 |
| Z.11 | 400 | Mercury Vapour 50% E.C. cost | 96.6174 | 101.2312 | 118.7283 |
| Z.12 | 400 | Mercury Vapour 100% E.C. cost | 105.3979 | 109.9956 | 127.4768 |
| Z.14 | 150 | High Pressure Sodium | 69.8288 | 71.4572 | 80.7166 |
| Z.16 | 250 | High Pressure Sodium 50% E.C. cost | 80.2377 | 83.8457 | 97.6072 |
| Z.17 | 250 | High Pressure Sodium 100% E.C. cost | 93.3446 | 97.0005 | 110.7778 |
| Z.51 | 60 | Incandescent | 32.8072 | 33.5095 | 36.0479 |
| Z.52 | 100 | Incandescent | 32.8071 | 33.5095 | 36.0478 |
| Z.53 | 200 | Incandescent | 38.6342 | 39.4963 | 43.4555 |
| Z.54 | 300 | Incandescent | 47.7819 | 49.3304 | 54.9179 |
| Z.55 | 500 | Incandescent | 76.8373 | 79.8386 | 91.1095 |
| Z.56 | 40 | Fluorescent | 32.8071 | 33.5095 | 36.0479 |
| Z.57 | 80 | Fluorescent | 38.6341 | 39.4963 | 43.4555 |
| Z.58 | 160 | Fluorescent | 54.0401 | 54.7902 | 63.5707 |

[Division 1 inserted in Gazette 22 Aug 2014 p. 3021-3.]

Division 2 — Miscellaneous

[Heading inserted in Gazette 22 Aug 2014 p. 3023.]

1. Traffic light installations

Supply of electricity to traffic light installations comprises a charge of \$5.6889 per day per kW of installed wattage.

[Clause 1 inserted in Gazette 22 Aug 2014 p. 3023.]

2. Public telephone facility

Supply of electricity to a standard public telephone facility where supply is not independently metered comprises a charge of 49.4971 cents per day.

[Clause 2 inserted in Gazette 22 Aug 2014 p. 3023.]

3. Railway crossing

Supply of electricity to standard railway crossing lights comprises a charge of 63.2540 cents per day.

[Clause 3 inserted in Gazette 22 Aug 2014 p. 3023.]

Schedule 3 — Meter rentals

[bl. 6(1)]

The rental payable in respect of a subsidiary meter is 15.97 cents per day.

Note: Subsidiary meters are available on application for purposes approved by the corporation.

Schedule 4 — Fees

[bl. 7]

*[Heading inserted in Gazette 26 Mar 2010 p. 1187; amended in
Gazette 22 Aug 2014 p. 3023.]*

| Description of fee | Amount |
|--|----------|
| 1. Non-refundable account establishment fee payable on the establishment or transfer of an account | \$33.80 |
| 2. Three phase residential installation — | |
| (a) new installation or replacement of single phase meter | \$276.00 |
| (b) installation of subsidiary three phase meter (each installation) | \$148.50 |
| 3. Non-refundable reconnection fee where supply has been terminated for non-payment of charges or for any other lawful reason..... | \$31.10 |
| <i>[4. Deleted]</i> | |
| 5. Temporary supply connection — | |
| (a) single phase (overhead) | \$721.00 |
| (b) three phase (overhead) | \$721.00 |
| 6. Meter testing — | |
| (a) standard meter testing fee | \$152.00 |
| (b) reduced meter testing fee | \$139.80 |
| 7. Disconnection of overhead service leads following unauthorised reconnection | \$412.00 |
| 8. Meter reading where reading requested by consumer | \$22.77 |
| <i>[9. Deleted]</i> | |
| 10. Overdue account notices | \$4.75 |
| 11. Rejected account payment (where payment made through Australia Post) | \$24.20 |

| Description of fee | Amount |
|--|----------------------------------|
| 12. A transaction fee where a consumer makes a payment to the corporation by means of one of the following — | |
| (a) a Visa or a MasterCard credit card or debit card .. | 0.7% of the amount of the charge |
| (b) an American Express credit card | 0.7% of the amount of the charge |

[Schedule 4 inserted in Gazette 26 Mar 2010 p. 1187-8; amended in Gazette 24 Jun 2011 p. 2498; 29 Jun 2012 p. 2911; 30 Aug 2013 p. 4096; 27 Jun 2014 p. 2326.]

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Notes

- ¹ This reprint is a compilation as at 3 October 2014 of the *Energy Operators (Regional Power Corporation) (Charges) By-laws 2006* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

| Citation | Gazettal | Commencement |
|---|----------------------------|---|
| <i>Energy Operators (Regional Power Corporation) (Charges) By-laws 2006</i> | 31 Mar 2006 p. 1279-97 | 1 Apr 2006 (see bl. 2) |
| <i>Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2007</i> | 29 Jun 2007 p. 3192-3 | bl. 1 and 2: 29 Jun 2007 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Jul 2007 (see bl. 2(b)) |
| <i>Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2009</i> | 30 Mar 2009 p. 997-1017 | bl. 1 and 2: 30 Mar 2009 (see bl. 2(a)); bl. 3 and Pt. 2: 1 Apr 2009 (see bl. 2(b)); Pt. 3: 1 Jul 2009 (see bl. 2(c)) |
| Reprint 1: The Energy Operators (Regional Power Corporation) (Charges) By-laws 2006 as at 16 Oct 2009 (includes amendments listed above) | | |
| <i>Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2010</i> | 26 Mar 2010 p. 1171-89 | Pt. 1: 26 Mar 2010 (see bl. 2(a)); Pt. 2: 1 Apr 2010 (see bl. 2(b)); Pt. 3: 1 Jul 2010 (see bl. 2(c)) |
| <i>Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2011</i> | 24 Jun 2011 p. 2495-8 | bl. 1 and 2: 24 Jun 2011 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Jul 2011 (see bl. 2(b)) |
| <i>Energy Operators (Regional Power Corporation) (Charges) Amendment By laws 2012</i> | 29 Jun 2012 p. 2899-911 | bl. 1 and 2: 29 Jun 2012 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Jul 2012 (see bl. 2(b)) |
| <i>Energy Operators (Regional Power Corporation) (Charges) Amendment By laws (No. 2) 2012</i> | 21 Sep 2012 p. 4423 | bl. 1 and 2: 21 Sep 2012 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Oct 2012 (see bl. 2(b)) |
| <i>Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2013</i> | 14 Jun 2013 p. 2223-7 | bl. 1 and 2: 14 Jun 2013 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Jul 2013 (see bl. 2(b)) |

Energy Operators (Regional Power Corporation) (Charges) By-laws 2006

| Citation | Gazettal | Commencement |
|--|---------------------------|---|
| <i>Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws (No. 2) 2013</i> | 30 Aug 2013 p. 4093-6 | bl. 1 and 2: 30 Aug 2013 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Sep 2013 (see bl. 2(b)) |
| <i>Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2014</i> | 27 Jun 2014 p. 2319-26 | bl. 1 and 2: 27 Jun 2014 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Jul 2014 (see bl. 2(b)) |
| <i>Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws (No. 2) 2014</i> | 22 Aug 2014 p. 3017-23 | bl. 1 and 2: 22 Aug 2014 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Sep 2014 (see bl. 2(b)) |
| Reprint 2: The Energy Operators (Regional Power Corporation) (Charges) By-laws 2006 as at 3 Oct 2014 (includes amendments listed above) | | |

Defined terms

[This is a list of terms defined and the provisions where they are defined.

The list is not part of the law.]

| Defined term | Provision(s) |
|--------------------------|---------------------|
| corporation | 3 |
| dwelling | 3 |
| interest period | 12(1) |
| RBA cash rate | 3 |
| relevant period | 8(1) |
| residential tariff | 3 |
| Tariff | 3 |
| unit | 3 |