



Western Australia

Energy Operators (Powers) Act 1979

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

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

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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;

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

bl. 4

[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

(1A) In this by-law —

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.

- (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.
- (2A) Sub-by-law (1) does not apply to electricity supplied from a regional non-integrated system or 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) 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;
26 Jun 2015 p. 2247-8.]

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 —

bl. 10

- (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 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.]

cl. 1

Schedule 1 — Supply charges

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

[Heading inserted in Gazette 26 Jun 2015 p. 2248.]

1. 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 46.1185 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 30.3104 cents per unit for the first 1 650 units per day; and
 - (ii) 27.3503 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 1 inserted in Gazette 26 Jun 2015 p. 2248; amended in Gazette 28 Jun 2016 p. 2626.]

2. 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 53.1612 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 34.9313 cents per unit for the first 1 650 units per day; and
 - (ii) 31.5293 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 2 inserted in Gazette 26 Jun 2015 p. 2248; amended in Gazette 31 Aug 2016 p. 3708.]

[3. Deleted in Gazette 31 Aug 2016 p. 3707.]

4. 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 48.5989 cents per day or, for multiple dwellings supplied through one metered supply point, a fixed charge at the rate of —
 - (i) 48.5989 cents per day for the first dwelling; and
 - (ii) 37.7348 cents per day for each additional dwelling;and
 - (b) a charge for metered consumption at the rate of 26.4740 cents per unit.

[Clause 4 inserted in Gazette 26 Jun 2015 p. 2249; amended in Gazette 28 Jun 2016 p. 2626-7.]

5. 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 35.7763 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 19.5011 cents per unit for the first 20 units per day; and
 - (ii) 24.4331 cents per unit for the next 1 630 units per day; and
 - (iii) 22.0470 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;

cl. 6

- (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 5 inserted in Gazette 26 Jun 2015 p. 2249-50; amended in Gazette 28 Jun 2016 p. 2627.]

6. 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 40.8681 cents per day; and
 - (b) if under subclause (3) there is deemed to be more than one equivalent domestic residence in the premises, a charge of 31.7323 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 22.2764 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 6 inserted in Gazette 26 Jun 2015 p. 2250; amended in Gazette 28 Jun 2016 p. 2627.]

7. 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 48.5989 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 26.4740 cents per unit for the first 20 units per day; and
 - (ii) 30.3104 cents per unit for the next 1 630 units per day; and
 - (iii) 27.3503 cents per unit for all units exceeding 1 650 units per day.

[Clause 7 inserted in Gazette 26 Jun 2015 p. 2250; amended in Gazette 28 Jun 2016 p. 2627.]

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

Schedule 2 — Unmetered supply

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

[Heading inserted in Gazette 26 Jun 2015 p. 2251.]

Division 1 — Street lighting

[Heading inserted in Gazette 31 Aug 2016 p. 3708.]

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	32.8606	33.5644	36.1068
Z.02	80	Mercury Vapour	38.6971	39.5607	43.5266
Z.03	125	Mercury Vapour	47.8599	49.4111	55.0077
Z.04	140	Low Pressure Sodium	48.9793	50.5784	57.0066
Z.07	250	Mercury Vapour	59.3892	62.4114	73.6847
Z.10	400	Mercury Vapour	87.9803	92.5856	110.1752
Z.13	150	High Pressure Sodium	45.3334	46.9965	56.3028
Z.15	250	High Pressure Sodium	67.2085	70.7905	84.6063
Z.18	per kW	Auxiliary Lighting in Public Places	Not applicable	Not applicable	245.3436
Z.59	66	LED	33.4029	34.3885	37.2046
Z.60	132	LED	44.5893	46.7086	56.6486
Z.61	198	LED	48.5927	52.0416	67.6001
Z.62	25	LED	30.7578	31.0965	31.4572

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Unmetered supply **Schedule 2**
Street lighting **Division 1**

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 for existing services only</i>					
Z.05	250	Mercury Vapour	76.9628	79.9690	91.2584
Z.06	400	Mercury Vapour	105.5700	110.1752	127.6849
Z.08	250	Mercury Vapour 50% E.C. cost	68.1679	71.1423	82.4636
Z.09	250	Mercury Vapour 100% E.C. cost	76.9628	79.9690	91.2584
Z.11	400	Mercury Vapour 50% E.C. cost	96.7751	101.3966	118.9222
Z.12	400	Mercury Vapour 100% E.C. cost	105.5700	110.1752	127.6849
Z.14	150	High Pressure Sodium	69.9428	71.5739	80.8485
Z.16	250	High Pressure Sodium 50% E.C. cost	80.3688	83.9827	97.7666
Z.17	250	High Pressure Sodium 100% E.C. cost	93.4969	97.1589	110.9588
Z.51	60	Incandescent	32.8607	33.5643	36.1067
Z.52	100	Incandescent	32.8606	33.5643	36.1066
Z.53	200	Incandescent	38.6973	39.5607	43.5266
Z.54	300	Incandescent	47.8599	49.4109	55.0076
Z.55	500	Incandescent	76.9627	79.9689	91.2583
Z.56	40	Fluorescent	32.8606	33.5643	36.1067
Z.57	80	Fluorescent	38.6971	39.5607	43.5266
Z.58	160	Fluorescent	54.1284	54.8797	63.6745

[Division 1 inserted in Gazette 31 Aug 2016 p. 3708-10.]

Division 2 — Miscellaneous

[Heading inserted in Gazette 26 Jun 2015 p. 2252.]

1. Traffic light installations

Supply of electricity to traffic light installations comprises a charge of \$6.4517 per day per kW of installed wattage.

[Clause 1 inserted in Gazette 26 Jun 2015 p. 2252; amended in Gazette 31 Aug 2016 p. 3710.]

2. Public telephone facility

Supply of electricity to a standard public telephone facility where supply is not independently metered comprises a charge of 56.3511 cents per day.

[Clause 2 inserted in Gazette 26 Jun 2015 p. 2252; amended in Gazette 31 Aug 2016 p. 3710.]

3. Railway crossing

Supply of electricity to standard railway crossing lights comprises a charge of 72.0130 cents per day.

[Clause 3 inserted in Gazette 26 Jun 2015 p. 2252; amended in Gazette 31 Aug 2016 p. 3710.]

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 28 Jun 2016 p. 2628.]

Description of fee	Amount
1. Non-refundable account establishment fee payable on the establishment or transfer of an account	\$34.14
2. Three phase residential installation —	
(a) new installation or replacement of single phase meter	\$585.03
(b) installation of subsidiary three phase meter (each installation)	\$149.99
3. Non-refundable reconnection fee where supply has been terminated for non-payment of charges or for any other lawful reason.....	\$31.41
5. Temporary supply connection —	
(a) single phase (overhead)	\$1 065.38
(b) three phase (overhead)	\$1 065.38
6. Meter testing —	
(a) standard meter testing fee	\$153.52
(b) reduced meter testing fee	\$141.20
7. Disconnection of overhead service leads following unauthorised reconnection	\$416.12
8. Meter reading where reading requested by consumer	\$23.00
10. Overdue account notices	\$5.50
11. Rejected account payment (where payment made through Australia Post)	\$24.44

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	0.84% of the amount of the charge
13. Remote configurations	\$25.00
14. Meter damage fee	\$967.03
15. Remote connection or disconnection	\$6.00

[Schedule 4 inserted in Gazette 28 Jun 2016 p. 2628.]



Notes

- ¹ This is a compilation 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)		
<i>Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2015</i>	26 Jun 2015 p. 2247-52	bl. 1 and 2: 26 Jun 2015 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Jul 2015 (see bl. 2(b))
<i>Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2016</i>	28 Jun 2016 p. 2626-8	bl. 1 and 2: 28 Jun 2016 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Jul 2016 (see bl. 2(b))
<i>Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws (No. 2) 2016</i>	31 Aug 2016 p. 3707-10	bl. 1 and 2: 31 Aug 2016 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Sep 2016 (see bl. 2(b))

Defined terms

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)
North West interconnected system	4(1A), 4(2A)
RBA cash rate	3
regional non-integrated system	4(1A)
relevant period	8(1)
residential tariff	3
South West interconnected system	4(1A)
Tariff	3
unit	3