

EN302

Energy Operators (Powers) Act 1979

**Energy Operators (Regional Power
Corporation) (Charges) Amendment
By-laws 2022**

SL 2022/71

Made by the Regional Power Corporation with the approval of the Governor in Executive Council.

1. Citation

These by-laws are the *Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2022*.

2. Commencement

These by-laws come into operation as follows —

- (a) by-laws 1 and 2 — on the day on which these by-laws are published in the *Gazette*;
- (b) the rest of the by-laws — on 1 July 2022.

3. By-laws amended

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

4. By-law 4 amended

- (1) In by-law 4(1A) insert in alphabetical order:

government consumer —

- (a) means a Commonwealth, State or foreign government department, instrumentality, agency or trading concern; but
 - (b) does not include —
 - (i) a local government, regional local government or regional subsidiary; or
 - (ii) an incorporated company or any other body corporate that a local government forms, takes part in forming or acquires a controlling interest in in compliance with the *Local Government Act 1995* section 3.60;
- (2) In by-law 4(2A) delete the passage that begins with “***North West interconnected system***” and ends with “section 3.60).” and insert:

North West interconnected system to a government consumer.

5. By-law 6 amended

In by-law 6(2)(c) delete “the residential” and insert:

a residential

6. Schedules 1 and 2 replaced

Delete Schedules 1 and 2 and insert:

Schedule 1 — Supply charges

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

Division 1 — Tariffs other than MyPower tariffs**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 \$1.9239 per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 29.9391 cents per unit for the first 1 650 units per day; and

- (ii) 33.7553 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 MW hours per annum.
- 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 \$1.8488 per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 37.5529 cents per unit for the first 1 650 units per day; and
 - (ii) 31.8648 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 MW hours or more per annum.
- 3. 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 \$1.0777 per day or, for multiple dwellings supplied through 1 metered supply point, a fixed charge at the rate of —
 - (i) \$1.0777 per day for the first dwelling; and
 - (ii) 42.8467 cents per day for each additional dwelling;
 - and
 - (b) a charge for metered consumption at the rate of 30.0605 cents per unit.
- 4. 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 \$1.0399 per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 24.2961 cents per unit for the first 20 units per day; and
 - (ii) 25.9223 cents per unit for the next 1 630 units per day; and
 - (iii) 24.7261 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 entity 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).

5. 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 \$1.0257 per day; and
 - (b) if under subclause (3) there is taken to be more than 1 equivalent domestic residence in the premises — a charge of 38.0284 cents per day for each equivalent domestic residence except the first that is taken to be in the premises; and
 - (c) a charge for metered consumption at the rate of 26.0605 cents per unit.
- (3) The number of equivalent domestic residences taken 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.

6. 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 \$1.9017 per day; and
 - (b) a charge for metered consumption at the rate of —

- (i) 31.4035 cents per unit for the first 20 units per day; and
- (ii) 29.5937 cents per unit for the next 1 630 units per day; and
- (iii) 33.3658 cents per unit for all units exceeding 1 650 units per day.

Division 2 — MyPower tariffs

7. Terms used

- (1) In this Division —

Esperance network means the electricity network operated by the corporation that supplies electricity to the towns of Esperance, Norseman, Hopetoun, Sandstone and Menzies and surrounding areas;

MyPower tariff means —

- (a) a MyPower residential tariff as defined in clause 8(1); or
- (b) a MyPower non-residential tariff as defined in clause 9(1);

peak day means —

- (a) in relation to a MyPower residential tariff as defined in clause 8(1) — a day that is in a peak period and is not a Saturday, a Sunday or a public holiday in the place in which the relevant premises to which electricity is supplied are situated; or
- (b) in relation to a MyPower non-residential tariff as defined in clause 9(1) — a day that is in a peak period and is not a public holiday in the place in which the relevant premises to which electricity is supplied are situated;

peak period means —

- (a) in relation to electricity supplied otherwise than as described in paragraph (b) — a period beginning on 1 December in a year and ending on 30 April in the following year; or
- (b) in relation to electricity supplied on the Esperance network — a period beginning on 1 July in a year and ending on 31 March in the following year, but excluding the months of September, October, November and December;

peak time means a period beginning at 1 pm and ending at 8 pm.

- (2) For the purposes of this Division, a consumer to whom electricity is supplied at premises at a MyPower tariff **exceeds the applicable peak allowance** in relation to the tariff if, on a peak day, the consumer consumes more electricity at those premises during 1 or more hours in a peak time than the applicable peak allowance for the tariff, unless —

- (a) on the relevant day, electricity has been supplied to the consumer at the premises at a MyPower tariff for 14 or fewer continuous days; or
- (b) the corporation considers that on the relevant day the consumer was affected by an emergency event (for example, a cyclone or bushfire).

8. MyPower residential tariffs

- (1) Each tariff determined under this clause (a *MyPower residential tariff*) is available in relation to the supply of electricity to premises only —
 - (a) for residential use; and
 - (b) if, before 1 July 2022, the consumer elected to be supplied electricity at the premises at the MyPower residential tariff (subject to subclause (5)); and
 - (c) if, since the consumer made the election, electricity has not been supplied to the premises at a tariff other than a MyPower residential tariff.
- (2) Each MyPower residential tariff comprises the following charges —
 - (a) a fixed charge at the applicable rate; and
 - (b) a charge for metered consumption at the applicable rate.
- (3) Each MyPower residential tariff is available subject to the following conditions —
 - (a) the consumer must satisfy the eligibility criteria set out in clause 10;
 - (b) the consumer must not exceed the applicable peak allowance at the relevant premises on 4 or more peak days in a peak period.
- (4) For each MyPower residential tariff, the applicable rates of the fixed charge and metered consumption charge, and the applicable peak allowance, are to be determined under the Table.

Table

Tariff name	Rate of fixed charge	Rate of metered consumption charge	Peak allowance
MyPower residential 1.5 fixed plan price	\$1.178763 per day	\$0.100000 per unit	1.5 units per hour
MyPower residential 3 fixed plan price	\$2.550801 per day	\$0.100000 per unit	3 units per hour

Tariff name	Rate of fixed charge	Rate of metered consumption charge	Peak allowance
MyPower residential 5 fixed plan price	\$5.161638 per day	\$0.100000 per unit	5 units per hour
MyPower residential 7 fixed plan price	\$8.501422 per day	\$0.100000 per unit	7 units per hour
MyPower residential 10 fixed plan price	\$12.833262 per day	\$0.100000 per unit	10 units per hour
MyPower residential 15 fixed plan price	\$26.132678 per day	\$0.100000 per unit	15 units per hour

- (5) Without limiting subclause (3)(b), if a consumer to whom electricity is supplied at premises at a MyPower residential tariff (the *original tariff*) has exceeded the applicable peak allowance for the original tariff at those premises on 4 or more peak days in a peak period, on and from the day after the 4th of those days the corporation may instead supply electricity to the consumer at the premises at the MyPower residential tariff (if any) that is immediately below the original tariff in the Table to subclause (4) (and the applicable peak allowance is adjusted accordingly).

9. MyPower non-residential tariffs

- (1) Each tariff determined under this clause (a *MyPower non-residential tariff*) is available in relation to the supply of electricity to premises only —
- (a) for non-residential use; and
 - (b) if, before 1 July 2022, the consumer elected to be supplied electricity at the premises at the MyPower non-residential tariff (subject to subclause (5)); and
 - (c) if, since the consumer made the election, electricity has not been supplied to the premises at a tariff other than a MyPower non-residential tariff.
- (2) Each MyPower non-residential tariff comprises the following charges —
- (a) a fixed charge at the applicable rate; and
 - (b) a charge for metered consumption at the applicable rate.

- (3) Each MyPower non-residential tariff is available subject to the following conditions —
- (a) the consumer must satisfy the eligibility criteria set out in clause 10;
 - (b) the consumer must not exceed the applicable peak allowance at the relevant premises on 4 or more peak days in a peak period.
- (4) For each MyPower non-residential tariff, the applicable rates of the fixed charge and metered consumption charge, and the applicable peak allowance, are to be determined under the Table.

Table

Tariff name	Rate of fixed charge	Rate of metered consumption charge	Peak allowance
MyPower non-residential 3 fixed plan price	\$2.868020 per day	\$0.100000 per unit	3 units per hour
MyPower non-residential 5 fixed plan price	\$6.742648 per day	\$0.100000 per unit	5 units per hour
MyPower non-residential 7 fixed plan price	\$12.036155 per day	\$0.100000 per unit	7 units per hour
MyPower non-residential 10 fixed plan price	\$17.872360 per day	\$0.100000 per unit	10 units per hour
MyPower non-residential 15 fixed plan price	\$27.491280 per day	\$0.100000 per unit	15 units per hour
MyPower non-residential 20 fixed plan price	\$44.040074 per day	\$0.100000 per unit	20 units per hour

Tariff name	Rate of fixed charge	Rate of metered consumption charge	Peak allowance
MyPower non-residential 25 fixed plan price	\$45.319531 per day	\$0.100000 per unit	25 units per hour
MyPower non-residential 30 fixed plan price	\$62.384180 per day	\$0.100000 per unit	30 units per hour
MyPower non-residential 35 fixed plan price	\$66.569461 per day	\$0.100000 per unit	35 units per hour
MyPower non-residential 40 fixed plan price	\$90.930129 per day	\$0.100000 per unit	40 units per hour
MyPower non-residential 50 fixed plan price	\$125.806606 per day	\$0.100000 per unit	50 units per hour

- (5) Without limiting subclause (3)(b), if a consumer to whom electricity is supplied at premises at a MyPower non-residential tariff (the *original tariff*) has exceeded the applicable peak allowance for the original tariff at those premises on 4 or more peak days in a peak period, on and from the day after the 4th of those days the corporation may instead supply electricity to the consumer at the premises at the MyPower non-residential tariff (if any) that is immediately below the original tariff in the Table to subclause (4) (and the applicable peak allowance is adjusted accordingly).

10. Eligibility criteria for MyPower tariffs

- (1) This clause sets out the eligibility criteria that apply to MyPower tariffs for the purposes of clauses 8(3)(a) and 9(3)(a).
- (2) The consumer must —
- (a) download and maintain the corporation's mobile application (as provided by the corporation from

- time to time) on the consumer's mobile phone or another device; or
- (b) create and maintain an account on the corporation's online consumer facility (as provided by the corporation from time to time).
- (3) The consumer must agree to receive and remain capable of receiving —
- (a) text message alerts from the corporation at a mobile phone number nominated by the consumer; and
- (b) bills from the corporation at an email address nominated by the consumer.

Schedule 2 — Unmetered supply

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

Division 1 — Street lighting

Item	Wattage	Type	Midnight Switch-off (Obsolescent) Cents per day	1.15 am 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	55.4184	56.5055	60.5579
Z.02	80	Mercury vapour	60.8268	62.1387	67.4594
Z.03	125	Mercury vapour	68.9273	71.0592	78.9903
Z.07	250	Mercury vapour	81.7161	85.6294	100.3625
Z.10	400	Mercury vapour	93.8384	97.8963	128.1849
Z.13	150	High pressure sodium	68.7780	71.0703	81.2804
Z.15	250	High pressure sodium	84.0974	88.3285	104.4795
Z.18	per kW	Auxiliary lighting in public places	Not applicable	Not applicable	304.5760
Z.59	66	LED	56.5873	57.6988	61.1836
Z.60	132	LED	68.9760	71.7865	83.9256
Z.61	198	LED	71.2263	74.8806	90.6758
Z.62	25	LED	53.9806	54.4648	55.5710
Z.63	120	LED	64.3275	66.0501	73.7957
Z.64	180	LED	71.0852	74.7039	90.3473
Z.65	18	LED	52.9954	53.2558	53.5358
Z.66	20	LED	53.1574	53.4546	53.8704
Z.67	53	LED	56.0733	57.0637	60.0879
Z.68	80	LED	57.1986	58.4539	62.4867
Z.69	160	LED	66.1452	68.2934	77.7571
<i>Street lighting for existing services only</i>					
Z.52	100	Incandescent	41.1412	42.6834	46.9908
Z.56	40	Fluorescent	53.8829	54.6227	57.3622

Division 2 — Miscellaneous

1. Traffic light installation

Supply of electricity to traffic light installations comprises a charge of \$8.1304 per day per kW of installed wattage.

2. Public telephone facility

Supply of electricity to a standard public telephone facility where supply is not independently metered comprises a charge of 69.3048 cents per day.

3. Railway crossing

Supply of electricity to standard railway crossing lights comprises a charge of 88.5669 cents per day.

7. Schedule 3 amended

In Schedule 3 delete “16.60” and insert:

16.89

8. Schedule 4 replaced

Delete Schedule 4 and insert:

Schedule 4 — Fees

[bl. 7]

Description of fee	Amount
1. Non-refundable account establishment fee payable on the establishment or transfer of an account	\$24.42
2. Three phase residential installation — new installation of three phase meter or replacement of single phase meter with three phase meter	\$930.00
3. Temporary supply connection —	
(a) single phase (overhead)	\$930.00
(b) three phase (overhead)	\$930.00
4. Meter testing —	
(a) standard meter testing fee	\$251.53
(b) reduced meter testing fee	\$157.10
5. Disconnection of overhead service leads following unauthorised reconnection	\$621.90
6. Overdue account notices	\$5.90
7. Rejected account payment (where payment made through Australia Post)	\$27.98

Description of fee	Amount
8. A transaction fee where a consumer makes a payment to the corporation by means of a credit card or debit card	The permitted surcharge for the payment
9. Remote configurations	\$26.76
10. Meter damage fee	\$865.89
11. Remote connection or disconnection	\$6.31
12. Paper bill fee	\$1.22
13. Over-the-counter payment fee	\$2.59

The Common Seal of the)
 Regional Power Corporation) [LS]
 was affixed to these)
 by-laws in the presence of—)

SANDRA DI BARTOLOMEO, Director.
 FRANK van der KOOY, Executive Officer.
