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Energy Operators (Powers) Act 1979

**Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2012**

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 2012*.

**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 2012.

**3. By-laws amended**

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

**Energy Operators (Regional Power Corporation) (Charges) Amendment  
By-laws 2012**

**bl. 4**

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**4. By-law 3 amended**

In by-law 3 insert in alphabetical order:

*carbon component* has a meaning affected by  
by-law 4A;

**5. By-law 4A inserted**

After by-law 3 insert:

**4A. Carbon component**

- (1) The carbon component is an amount that takes account of costs resulting from the *Clean Energy Act 2011* (Commonwealth) and the related Commonwealth Acts listed in the Table.

**Table**

*Australian National Registry of Emissions Units  
Act 2011*

*Carbon Credits (Carbon Farming Initiative) Act 2011*

*Clean Energy (Charges—Customs) Act 2011*

*Clean Energy (Charges—Excise) Act 2011*

*Clean Energy (Consequential Amendments) Act 2011*

*Clean Energy (Customs Tariff Amendment) Act 2011*

*Clean Energy (Excise Tariff Legislation Amendment)  
Act 2011*

*Clean Energy (Fuel Tax Legislation Amendment)  
Act 2011*

*Clean Energy (Household Assistance Amendments)  
Act 2011*

**Energy Operators (Regional Power Corporation) (Charges) Amendment  
By-laws 2012**

---

**bl. 5**

*Clean Energy (Income Tax Rates Amendments)  
Act 2011*

*Clean Energy (International Unit Surrender Charge)  
Act 2011*

*Clean Energy Regulator Act 2011*

*Clean Energy (Tax Laws Amendments) Act 2011*

*Clean Energy (Unit Issue Charge—Auctions) Act 2011*

*Clean Energy (Unit Issue Charge—Fixed Charge)  
Act 2011*

*Clean Energy (Unit Shortfall Charge—General)  
Act 2011*

*Climate Change Authority Act 2011*

*Customs Tariff Act 1995*

*Excise Act 1901*

*Excise Tariff Act 1921*

*Excise Tariff Amendment (Taxation of Alternative  
Fuels) Act 2011*

*Fuel Tax Act 2006*

*Fuel Tax (Consequential and Transitional Provisions)  
Act 2006*

*National Greenhouse and Energy Reporting Act 2007*

*Ozone Protection and Synthetic Greenhouse Gas  
(Import Levy) Act 1995*

*Ozone Protection and Synthetic Greenhouse Gas  
(Import Levy) Amendment Act 2011*

*Ozone Protection and Synthetic Greenhouse Gas  
Management Act 1989*

***Energy Operators (Regional Power Corporation) (Charges) Amendment  
By-laws 2012***

**bl. 6**

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*Ozone Protection and Synthetic Greenhouse Gas  
(Manufacture Levy) Act 1995*

*Ozone Protection and Synthetic Greenhouse Gas  
(Manufacture Levy) Amendment Act 2011*

- (2) A reference in a provision of Schedule 1 to the carbon component is a reference to the amount specified for that provision in Schedule 2A.

**6. Schedule 1 amended**

- (1) Delete the reference after the heading to Schedule 1 and insert:

[bl. 3, 4A(2), 4(1) and 10(1)]

- (2) Delete Schedule 1 clause 2(2) and insert:

- (2) Tariff L2 comprises —
- (a) a fixed charge at the rate of 39.4251 cents per day;  
and
  - (b) a charge for metered consumption at the rate of —
    - (i) 28.1662 cents (being 26.5398 cents plus the carbon component) per unit for the first 1 650 units per day; and
    - (ii) 25.6357 cents (being 24.0093 cents plus the carbon component) per unit for all units exceeding 1 650 units per day.

***Energy Operators (Regional Power Corporation) (Charges) Amendment  
By-laws 2012***

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**bl. 6**

(3) Delete Schedule 1 clause 3(2) and insert:

- (2) Tariff L4 comprises —
- (a) a fixed charge at the rate of 49.9964 cents per day;  
and
  - (b) a charge for metered consumption at the rate of —
    - (i) 35.1416 cents (being 33.5152 cents plus the carbon component) per unit for the first 1 650 units per day; and
    - (ii) 31.9421 cents (being 30.3157 cents plus the carbon component) per unit for all units exceeding 1 650 units per day.

(4) Delete Schedule 1 clause 4(2) and insert:

- (2) Tariff M2 comprises —
- (a) a fixed charge at the rate of 46.4533 cents per day;  
and
  - (b) a charge for metered consumption at the rate of —
    - (i) 31.7802 cents (being 30.1538 cents plus the carbon component) per unit for the first 1 650 units per day; and
    - (ii) 28.7757 cents (being 27.1493 cents plus the carbon component) per unit per day for all units exceeding 1 650 units.

(5) Delete Schedule 1 clause 5(2) and insert:

- (2) Tariff N2 comprises —
- (a) a fixed charge at the rate of 34.3471 cents per day;  
and

**Energy Operators (Regional Power Corporation) (Charges) Amendment  
By-laws 2012**

**bl. 6**

- (b) a charge for metered consumption at the rate (in cents per unit) calculated in accordance with the following formula and by-law 10(2) —

$$R = \left\{ \left[ 18.7797 + \frac{8.5552 \times P}{39.18} \right] + 1.4785 \right\} \times 1.1$$

where —

R is the rate to be calculated;

P is the Singapore Gas Oil 0.5%S midpoint of the Product Price Assessments for Singapore/Japan Cargoes —

- (i) as amended from time to time and published by Platt's in the Oilgram Price Report; and
- (ii) as expressed in Australian dollars per litre and including the rate of duty imposed by item 10.10 of the Schedule to the *Excise Tariff Act 1921* (Commonwealth).

- (6) Delete Schedule 1 clause 6(2) and insert:

- (2) Tariff P2 comprises —
- (a) a fixed charge at the rate of 60.1691 cents per day; and
  - (b) a charge for metered consumption at the rate of 43.8391 cents (being 42.2127 cents plus the carbon component) per unit.

- (7) Delete Schedule 1 clause 7(2) and insert:

- (2) Tariff A2 comprises —
- (a) a fixed charge at the rate of 41.5455 cents per day or, for multiple dwellings supplied through one

***Energy Operators (Regional Power Corporation) (Charges) Amendment  
By-laws 2012***

**bl. 6**

metered supply point, a fixed charge at the rate of —

- (i) 41.5455 cents per day for the first dwelling;  
and
  - (ii) 32.2582 cents per day for each additional dwelling;
- and
- (b) a charge for metered consumption at the rate of 24.8866 cents (being 23.2602 cents plus the carbon component) per unit.

(8) Delete Schedule 1 clause 8(2) and insert:

- (2) Tariff C2 comprises —
  - (a) a fixed charge at the rate of 37.5016 cents per day;  
and
  - (b) a charge for metered consumption at the rate of —
    - (i) 22.6965 cents (being 21.0701 cents plus the carbon component) per unit for the first 20 units per day; and
    - (ii) 27.8663 cents (being 26.2399 cents plus the carbon component) for the next 1 630 units per day; and
    - (iii) 25.3652 cents (being 23.7388 cents plus the carbon component) per unit per day for all units exceeding 1 650 units.

(9) Delete Schedule 1 clause 9(2) and insert:

- (2) Tariff D2 comprises —
  - (a) a fixed charge at the rate of 34.9367 cents per day;  
and

***Energy Operators (Regional Power Corporation) (Charges) Amendment  
By-laws 2012***

**bl. 6**

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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 27.1268 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 21.2983 cents (being 19.6719 cents plus the carbon component) per unit.

(10) Delete Schedule 1 clause 10(2) and insert:

- (2) Tariff K2 comprises —
  - (a) a fixed charge at the rate of 41.5455 cents per day; and
  - (b) a charge for metered consumption at the rate of —
    - (i) 24.8866 cents (being 23.2602 cents plus the carbon component) per unit for the first 20 units per day; and
    - (ii) 28.1662 cents (being 26.5398 cents plus the carbon component) per unit for the next 1 630 units per day; and
    - (iii) 25.6357 cents (being 24.0093 cents plus the carbon component) per unit per day for all units exceeding 1 650 units.

(11) In Schedule 1 clause 11 delete “\$4.3942” and insert:

\$5.8964 (being \$5.5061 plus the carbon component)



**Energy Operators (Regional Power Corporation) (Charges) Amendment  
By-laws 2012**

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**bl. 7**

**7. Schedule 2A inserted**

After Schedule 1 insert:

**Schedule 2A — Carbon components**

[bl. 4A(2)]

<b>Schedule 1 provisions</b>	<b>Carbon components</b>
Sch. 1 cl. 2(2)(b)(i) and (ii)	1.6264 cents
Sch. 1 cl. 3(2)(b)(i) and (ii)	1.6264 cents
Sch. 1 cl. 4(2)(b)(i) and (ii)	1.6264 cents
Sch. 1 cl. 6(2)(b)	1.6264 cents
Sch. 1 cl. 7(2)(b)	1.6264 cents
Sch. 1 cl. 8(2)(b)(i), (ii) and (iii)	1.6264 cents
Sch. 1 cl. 9(2)(c)	1.6264 cents
Sch. 1 cl. 10(2)(b)(i), (ii) and (iii)	1.6264 cents
Sch. 1 cl. 11	\$0.3903

**Energy Operators (Regional Power Corporation) (Charges) Amendment  
By-laws 2012**

**bl. 8**

**8. Schedule 2 replaced**

Delete Schedule 2 and insert:

**Schedule 2 — Street lighting**

[bl. 4(2)]

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	31.8470 (includes carbon component of 0.4342)	32.6568 (includes carbon component of 0.5359)	35.6066 (includes carbon component of 0.9197)
Z.02	80	Mercury Vapour	37.7577 (includes carbon component of 0.6948)	38.8044 (includes carbon component of 0.8574)	43.4265 (includes carbon component of 1.4716)
Z.03	125	Mercury Vapour	47.0118 (includes carbon component of 1.0856)	48.8389 (includes carbon component of 1.3397)	55.4908 (includes carbon component of 2.2993)
Z.04	140	Low Pressure Sodium	48.2567 (includes carbon component of 1.2159)	50.1717 (includes carbon component of 1.5005)	57.7740 (includes carbon component of 2.5752)
Z.07	250	Mercury Vapour	59.4792 (includes carbon component of 2.1712)	63.0574 (includes carbon component of 2.6795)	76.4374 (includes carbon component of 4.5986)
Z.10	400	Mercury Vapour	88.4707 (includes carbon component of 3.4740)	93.9771 (includes carbon component of 4.2872)	114.9591 (includes carbon component of 7.3578)
Z.13	150	High Pressure Sodium	44.9105 (includes carbon component of 1.3027)	46.9146 (includes carbon component of 1.6077)	57.3599 (includes carbon component of 2.7592)
Z.15	250	High Pressure Sodium	66.9141 (includes carbon component of 2.1712)	71.0246 (includes carbon component of 2.6795)	86.8219 (includes carbon component of 4.5986)

**Energy Operators (Regional Power Corporation) (Charges) Amendment  
By-laws 2012**

**bl. 8**

<b>Item</b>	<b>Wattage</b>	<b>Type</b>	<b>Midnight Switch-off (Obsolescent) Cents per day</b>	<b>1.15 a.m. Switch-off Cents per day</b>	<b>Dawn Switch-off Cents per day</b>
Z.18	per kW	Auxiliary Lighting in Public Places	Not applicable	Not applicable	260.3391 (includes carbon component of 18.3946)
<i>Street lighting for existing services only</i>					
Z.05	250	Mercury Vapour	76.1888 (includes carbon component of 2.1712)	79.7519 (includes carbon component of 2.6795)	93.1469 (includes carbon component of 4.5986)
Z.06	400	Mercury Vapour	105.1955 (includes carbon component of 3.4740)	110.7018 (includes carbon component of 4.2872)	131.6079 (includes carbon component of 7.3578)
Z.08	250	Mercury Vapour 50% E.C. cost	67.8263 (includes carbon component of 2.1712)	71.3591 (includes carbon component of 2.6795)	84.7846 (includes carbon component of 4.5986)
Z.09	250	Mercury Vapour 100% E.C. cost	76.1888 (includes carbon component of 2.1712)	79.7519 (includes carbon component of 2.6795)	93.1469 (includes carbon component of 4.5986)
Z.11	400	Mercury Vapour 50% E.C. cost	96.8331 (includes carbon component of 3.4740)	102.3547 (includes carbon component of 4.2872)	123.2759 (includes carbon component of 7.3578)
Z.12	400	Mercury Vapour 100% E.C. cost	105.1955 (includes carbon component of 3.4740)	110.7018 (includes carbon component of 4.2872)	131.6079 (includes carbon component of 7.3578)
Z.14	150	High Pressure Sodium	68.3099 (includes carbon component of 1.3027)	70.2834 (includes carbon component of 1.6077)	80.6984 (includes carbon component of 2.7592)
Z.16	250	High Pressure Sodium 50% E.C. cost	79.4273 (includes carbon component of 2.1712)	83.5681 (includes carbon component of 2.6795)	99.3351 (includes carbon component of 4.5986)
Z.17	250	High Pressure Sodium 100% E.C. cost	91.9100 (includes carbon component of 2.1712)	96.0964 (includes carbon component of 2.6795)	111.8786 (includes carbon component of 4.5986)

**Energy Operators (Regional Power Corporation) (Charges) Amendment  
By-laws 2012**

**bl. 8**

<b>Item</b>	<b>Wattage</b>	<b>Type</b>	<b>Midnight Switch-off (Obsolescent) Cents per day</b>	<b>1.15 a.m. Switch-off Cents per day</b>	<b>Dawn Switch-off Cents per day</b>
Z.51	60	Incandescent	31.9674 (includes carbon component of 0.5211)	32.8054 (includes carbon component of 0.6431)	35.8615 (includes carbon component of 1.1037)
Z.52	100	Incandescent	32.4490 (includes carbon component of 0.0868)	33.3999 (includes carbon component of 0.1072)	36.8817 (includes carbon component of 0.1839)
Z.53	200	Incandescent	39.2027 (includes carbon component of 1.7370)	40.5876 (includes carbon component of 2.1436)	46.4869 (includes carbon component of 3.6789)
Z.54	300	Incandescent	49.1191 (includes carbon component of 2.6055)	51.4394 (includes carbon component of 3.2154)	59.9539 (includes carbon component of 5.5184)
Z.55	500	Incandescent	79.1991 (includes carbon component of 4.3425)	83.4669 (includes carbon component of 5.3590)	99.5227 (includes carbon component of 9.1973)
Z.56	40	Fluorescent	31.7265 (includes carbon component of 0.3474)	32.5082 (includes carbon component of 0.4287)	35.3515 (includes carbon component of 0.7358)
Z.57	80	Fluorescent	37.7577 (includes carbon component of 0.6948)	38.8044 (includes carbon component of 0.8574)	43.4265 (includes carbon component of 1.4716)
Z.58	160	Fluorescent	53.3933 (includes carbon component of 1.3896)	54.5588 (includes carbon component of 1.7149)	64.6241 (includes carbon component of 2.9431)

**Energy Operators (Regional Power Corporation) (Charges) Amendment  
By-laws 2012**

**bl. 9**

**9. Schedule 4 amended**

In Schedule 4 item 10 delete “\$4.65” and insert:

\$4.75

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

BRENDAN HAMMOND, Director.

DAVID TOVEY, Executive officer.

Approved by the Governor,

N. HAGLEY, Clerk of the Executive Council.

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