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ENERGY OPERATORS (POWERS) ACT 1979

**ENERGY OPERATORS
(REGIONAL POWER
CORPORATION) (CHARGES)
BY-LAWS 2006**

Western Australia

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

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Energy Operators (Powers) Act 1979

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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) By-laws 2006*.

2. Commencement

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

3. Terms used in these by-laws

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;

“**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.

Energy Operators (Regional Power Corporation) (Charges) By-laws 2006**bl. 4**

4. Electricity charges

- (1) The charges to be paid by consumers for electricity supplied by the corporation are those specified in, or calculated in accordance with, Schedule 1.
- (2) The charges to be paid by consumers for street lighting supplied by the corporation are those specified in Schedule 2.

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;
 - (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.

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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 at the rate of 12.75% per annum calculated on a daily basis.
- (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.

9. Rebates and reduced fees

(1) In this by-law —

“eligible person” means a person who satisfies the corporation that the person holds —

- (a) a —
 - (i) Health Care Card;
 - (ii) Commonwealth seniors health card; or

Energy Operators (Regional Power Corporation) (Charges) By-laws 2006**bl. 9**

- (iii) Pensioner Concession Card,
issued by the Department of Social Security of the
Government of the Commonwealth;
 - (b) a Repatriation Health Card, issued by the Department
of Veterans' Affairs of the Government of the
Commonwealth, that indicates on it that the person is
totally and permanently incapacitated, a war widow
or a dependant; or
 - (c) a Seniors' Card issued by the Office of Seniors'
Interests of the Government of the State.
- (2) Where electricity is supplied to a consumer who is an eligible
person, for use at his or her principal place of residence and the
consumer is charged on the basis of Tariff A2, the consumer is
entitled to a rebate equal to the fixed charge payable under that
tariff for that residence.
- (3) Where a consumer who is charged on the basis of Tariff A2 for
electricity supplied by the corporation satisfies the corporation
that electricity supplied to the consumer has been delivered to
and used at premises occupied by an eligible person as his or
her principal place of residence, the consumer is entitled to a
rebate equal to the fixed charge payable under that tariff for
those premises.
- (4) Where a fixed charge is payable for multiple dwellings and
there is a dwelling in respect of which the rebate is not payable,
for the purposes of ascertaining the amount of the rebate
payable the amount of the fixed charge payable in respect of the
first dwelling shall be taken to relate to a dwelling in respect of
which a rebate is not payable.
- (5) A person who comes within paragraph (a) or (b) of the
definition of "eligible person" in sub-by-law (1) and who is
entitled to a rebate under this by-law is also —
 - (a) exempted from payment of the account establishment
fee specified in Schedule 4 item 1; and

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bl. 10

- (b) entitled to pay the reduced meter testing fee specified in Schedule 4 item 6(b).

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) Where, for the purpose of ascertaining a charge under Tariff N2, a rate in cents per unit is to be calculated in accordance with a formula, the rate is to be rounded to the nearest one hundredth of one cent except where an amount calculated falls halfway between 2 consecutive one hundredths of one cent, in which case the rate is to be rounded to the nearest even one hundredth of one cent.
- (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.

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 under the Act section 62(16)

For the purposes of the Act section 62(16), the rate at which interest is to be paid, or given credit for, by the corporation is 7.8%.

Energy Operators (Regional Power Corporation) (Charges) By-laws 2006
Schedule 1 Supply charges

cl. 1

Schedule 1 — Supply charges

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

1. Terms used in this Schedule

In this Schedule —

“**North West interconnected system**” means the electrical system from which electricity generated at one or more of the power stations at Dampier, Cape Lambert and Port Hedland, respectively, is supplied to consumers;

“**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 to that term in the *Electricity Industry Act 2004* section 3.

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 26.57 cents per day; and

(b) a charge for metered consumption at the rate of —

(i) 17.47 cents per unit for the first 1 650 units per day;
and

(ii) 15.76 cents per unit per day for all units exceeding
1 650 units.

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

(1) Tariff M2 is available for consumers supplied at 6.6kV, 11kV, 22kV or 33kV or such higher voltage as the corporation may approve.

(2) Tariff M2 comprises —

(a) a fixed charge at the rate of 26.57 cents per day; and

Energy Operators (Regional Power Corporation) (Charges) By-laws 2006
 Supply charges **Schedule 1**

cl. 4

- (b) a charge for metered consumption at the rate of —
 - (i) 16.88 cents per unit for the first 1 650 units per day; and
 - (ii) 15.16 cents per unit per day for all units exceeding 1 650 units.

4. 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 or foreign government instrumentalities.
- (2) Tariff N2 comprises —
 - (a) a fixed charge at the rate of 31.31 cents per day; and
 - (b) a charge for metered consumption at the rate (in cents per unit) calculated in accordance with the following formula and by-law 10(3) —

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

Where —

R is the rate to be calculated; and

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 11(C)(2)(a) of the Schedule to the *Excise Tariff Act 1921* of the Commonwealth.

5. 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 or foreign government instrumentalities.

Energy Operators (Regional Power Corporation) (Charges) By-laws 2006
Schedule 1 Supply charges

cl. 6

- (2) Tariff P2 comprises —
- (a) a fixed charge at the rate of 31.31 cents per day; and
 - (b) a charge for metered consumption at the rate of 20.77 cents per unit.

6. 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 25.57 cents per day or, for multiple dwellings supplied through one metered supply point, a fixed charge at the rate of —
 - (i) 25.57 cents per day for the first dwelling; and
 - (ii) 19.86 cents per day for each additional dwelling;and
 - (b) a charge for metered consumption at the rate of 13.94 cents per unit.

7. 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 25.57 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 13.94 cents per unit for the first 20 units per day;
 - (ii) 17.47 cents for the next 1 630 units per day; and
 - (iii) 15.76 cents per unit per day for all units exceeding 1 650 units.
- (3) The consumer must comply with 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;

Energy Operators (Regional Power Corporation) (Charges) By-laws 2006
Supply charges **Schedule 1**

cl. 8

- (c) the consumer must be classified as being tax exempt under the *Income Tax Assessment Act 1936* of the Commonwealth section 23;
 - (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).

8. 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 25.57 cents per day;
 - (b) if under subclause (3) there is deemed to be more than one equivalent domestic residence in the premises, a charge of 19.86 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 13.94 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.

Energy Operators (Regional Power Corporation) (Charges) By-laws 2006
Schedule 1 Supply charges

cl. 9

9. 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 25.57 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 13.94 cents per unit for the first 20 units per day;
 - (ii) 17.47 cents per unit for the next 1 630 units per day; and
 - (iii) 15.76 cents per unit per day for all units exceeding 1 650 units.

10. Tariff W2 (traffic light installations)

Tariff W2 comprises a charge of \$2.62 per day per kilowatt of the total installed wattage.

Energy Operators (Regional Power Corporation) (Charges) By-laws 2006
Street lighting Schedule 2

Schedule 2 — Street lighting

[bl. 4(2)]

Wattage Groups — Fitting Types — Switching Hours

Lamp Details						
Item	Wattage	Type	Fitting and Pole 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	Any	17.09	17.47	18.77
Z.02	80	Mercury Vapour	Any	20.14	20.59	22.65
Z.03	125	Mercury Vapour	Any	24.91	25.71	28.63
Z.04	140	Sodium	Crosswalk Any Pole	25.49	26.32	29.65
Z.07	250	100% Consumer Cost M.V. Type W	Luminaire, Any Pole	30.90	32.47	38.33
Z.10	400	100% Consumer Cost M.V. Type W	Luminaire, Any Pole	45.77	48.17	57.32
Z.13	150	100% Consumer Cost H.P. Sodium	Luminaire, Any Pole	23.60	24.45	29.29
Z.15	250	100% Consumer Cost H.P. Sodium	Luminaire, Any Pole	34.97	36.82	44.02
Z.18	per kilowatt	Auxiliary Lighting in Public Places	Service by Negotiation	100.16	105.74	127.62
<i>Street lighting for existing services only</i>						
Z.05	250	Mercury Vapour	Open Fitting, Any Pole	40.04	41.60	47.48
Z.06	400	Mercury Vapour	Open Fitting, Luminaire	54.92	57.32	66.43
Z.08	250	50% E.C. Cost M.V. Type W	Luminaire, Wood Poles	35.47	37.02	42.90
Z.09	250	100% E.C. Cost M.V. Type W	Luminaire, Wood Poles	40.04	41.60	47.48
Z.11	400	50% E.C. Cost M.V. Type W	Luminaire, Wood Poles	50.34	52.75	61.86
Z.12	400	100% E.C. Cost M.V. Type W	Luminaire, Wood Poles	54.92	57.32	66.43
Z.14	150	100% E.C. Cost H.P. Sodium	Luminaire, Any Pole	36.39	37.25	42.06
Z.16	250	50% E.C. Cost H.P. Sodium	Luminaire, Any Pole	41.81	43.69	50.87
Z.17	250	100% E.C. Cost H.P. Sodium	Luminaire, Any Pole	48.64	50.54	57.72
Z.51	60	Incandescent	Any	17.09	17.47	18.79

Energy Operators (Regional Power Corporation) (Charges) By-laws 2006
Schedule 2 Street lighting

Lamp Details						
Item	Wattage	Type	Fitting and Pole Type	Midnight Switch-off (Obsolescent) Cents per day	1.15 a.m. Switch-off Cents per day	Dawn Switch-off Cents per day
Z.52	100	Incandescent	Any	17.09	17.47	18.79
Z.53	200	Incandescent	Any	20.14	20.59	22.65
Z.54	300	Incandescent	Any	24.91	25.71	28.63
Z.55	500	Incandescent	Open Fitting, Any Pole	40.04	41.60	47.48
Z.56	40	Fluorescent	Open Fitting, Any Pole	17.09	17.47	18.79
Z.57	80	Fluorescent	Open Fitting, Any Pole	20.14	20.59	22.65
Z.58	160	Fluorescent	—	28.16	28.56	33.13

Energy Operators (Regional Power Corporation) (Charges) By-laws 2006
Meter rentals **Schedule 3**

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.

Energy Operators (Regional Power Corporation) (Charges) By-laws 2006
Schedule 4 Fees

Schedule 4 — Fees

[bl. 7 and 9(5)]

Description of fee	Amount
1. Non-refundable account establishment fee payable on the establishment or transfer of an account	\$27.50
2. Three phase residential installation —	
(a) new installation or replacement of single phase meter	\$240.40
(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	\$27.50
4. Connection to standard public telephone facility where supply not independently metered (per day) ...	30.68 cents
5. Temporary supply connection —	
(a) single phase (overhead)	\$300.00
(b) three phase (overhead)	\$600.00
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	\$190.00
8. Meter reading where reading requested by consumer	\$19.20
9. Supply of electricity to standard railway crossing lights (per day)	39.22 cents
10. Overdue account notices	\$3.80

Energy Operators (Regional Power Corporation) (Charges) By-laws 2006
Fees **Schedule 4**

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

BRENDAN HAMMOND, Director.
ROD HAYES, Chief Executive Officer.

Approved by the Governor,
M. C. WAUCHOPE, Clerk of the Executive Council.



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