
ENERGY

EN301

Energy Operators (Powers) Act 1979

**Energy Operators (Regional Power
Corporation) (Charges) Amendment By-laws
(No. 3) 2017**

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 (No. 3) 2017*.

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 January 2018.

3. By-laws amended

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

4. By-law 3 amended

In by-law 3 delete the definition of *residential tariff* and insert:

residential tariff means Tariff A2 or a MyPower residential tariff as defined in Schedule 1 clause 8(1);

5. By-law 5 amended

In by-law 5(1) and (2) delete “the residential tariff” and insert:

a residential tariff

6. Schedule 1 amended

- (1) Before Schedule 1 clause 1 insert:

Division 1 — Tariffs other than MyPower tariffs

- (2) At the end of Schedule 1 insert:

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 town of Esperance and surrounding areas;

peak day means —

- (a) in relation to a tariff determined under clause 8 — 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 tariff determined under clause 9 — 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 ***exceeds the applicable peak allowance*** in relation to a tariff if, on a peak day, the consumer consumes more electricity during 1 or more hours in a peak time than the applicable peak allowance for the tariff, unless —
 - (a) the contract under which the electricity is supplied has been in force for a period of 14 days or fewer; 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 only —
 - (a) for residential use; and
 - (b) if the consumer has entered into a non-standard contract (as defined in the *Electricity Industry Act 2004* section 47) with the corporation for the supply of electricity at a MyPower residential tariff.
- (2) Each MyPower residential tariff comprises the following charges, adjusted (where relevant) in accordance with subclause (3) —
 - (a) a fixed charge at the applicable rate; and
 - (b) a charge for metered consumption at the applicable rate.
- (3) The charges calculated under subclause (2) for electricity supplied to a consumer during a peak period are to be adjusted as follows —
 - (a) 3 rebates of the applicable peak rebate amount are to be applied to the consumer's account at the end of the peak period; but
 - (b) for each peak day on which the consumer exceeds the applicable peak allowance, 1 of the rebates referred to in paragraph (a) is not to be applied.
- (4) If electricity is supplied to a consumer at a MyPower residential tariff for part only of a peak period (the ***part-period***) —
 - (a) subclause (3) applies as if a reference to the peak period were a reference to the part-period; and
 - (b) the applicable peak rebate amount is to be reduced on a pro rata basis.

- (5) For each MyPower residential tariff, the applicable rates of the fixed charge and metered consumption charge, the applicable peak allowance and the applicable peak rebate amount are to be determined under the Table.

Table

Tariff name	Rate of fixed charge	Rate of metered consumption charge	Peak allowance	Peak rebate amount
MyPower residential 1.5 fixed plan price	\$1.836595 per day	\$0.099703 per unit	1.5 units per hour	\$100
MyPower residential 3 fixed plan price	\$3.017641 per day	\$0.099703 per unit	3 units per hour	\$100
MyPower residential 5 fixed plan price	\$5.265043 per day	\$0.099703 per unit	5 units per hour	\$100
MyPower residential 7 fixed plan price	\$8.139920 per day	\$0.099703 per unit	7 units per hour	\$100
MyPower residential 10 fixed plan price	\$11.868759 per day	\$0.099703 per unit	10 units per hour	\$100
MyPower residential 15 fixed plan price	\$25.258053 per day	\$0.099703 per unit	15 units per hour	\$100

- (6) Each MyPower residential tariff is available subject to the condition that the consumer does not exceed the applicable peak allowance on 4 or more peak days in a peak period.

9. MyPower non-residential tariffs

- (1) Each tariff determined under this clause (a *MyPower non-residential tariff*) is available only —
- for non-residential use; and
 - if the consumer has entered into a non-standard contract (as defined in the *Electricity Industry Act 2004* section 47) with the corporation for the supply of electricity at a MyPower non-residential tariff.

- (2) Each MyPower non-residential tariff comprises the following charges, adjusted (where relevant) in accordance with subclause (3) —
 - (a) a fixed charge at applicable rate; and
 - (b) a charge for metered consumption at the applicable rate.
- (3) The charges calculated under subclause (2) for electricity supplied to a consumer during a peak period are to be adjusted as follows —
 - (a) 3 rebates of the applicable peak rebate amount are to be applied to the consumer's account at the end of the peak period; but
 - (b) for each peak day on which the consumer exceeds the applicable peak allowance, 1 of the rebates referred to in paragraph (a) is not to be applied.
- (4) If electricity is supplied to a consumer at a MyPower non-residential tariff for part only of a peak period (the *part-period*) —
 - (a) subclause (3) applies as if a reference to the peak period were a reference to the part-period; and
 - (b) the applicable peak rebate amount is to be reduced on a pro rata basis.
- (5) For each MyPower non-residential tariff, the applicable rates of the fixed charge and metered consumption charge, the applicable peak allowance and the applicable peak rebate amount are to be determined under the Table.

Table

Tariff name	Rate of fixed charge	Rate of metered consumption charge	Peak allowance	Peak rebate amount
MyPower business 3 fixed plan price	\$3.330959 per day	\$0.099703 per unit	3 units per hour	\$100
MyPower business 5 fixed plan price	\$6.792026 per day	\$0.099703 per unit	5 units per hour	\$100
MyPower business 7 fixed plan price	\$11.504898 per day	\$0.099703 per unit	7 units per hour	\$100
MyPower business 10 fixed plan price	\$16.739049 per day	\$0.099703 per unit	10 units per hour	\$100

Tariff name	Rate of fixed charge	Rate of metered consumption charge	Peak allowance	Peak rebate amount
MyPower business 15 fixed plan price	\$25.258053 per day	\$0.099703 per unit	15 units per hour	\$100
MyPower business 20 fixed plan price	\$43.025630 per day	\$0.099703 per unit	20 units per hour	\$200
MyPower business 30 fixed plan price	\$60.033161 per day	\$0.099703 per unit	30 units per hour	\$200
MyPower business 40 fixed plan price	\$86.834447 per day	\$0.099703 per unit	40 units per hour	\$200
MyPower business 50 fixed plan price	\$119.302041 per day	\$0.099703 per unit	50 units per hour	\$300

- (6) Each MyPower non-residential tariff is available subject to the condition that the consumer does not exceed the applicable peak allowance on 4 or more peak days in a peak period.

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

ROSEMARY WHEATLEY, Director.

DAVID TOVEY, Executive Officer.

R. KENNEDY, Clerk of the Executive Council.