
ENERGY

EN301

Energy Operators (Powers) Act 1979

Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2021**SL 2021/110**

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 2021*.

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 2021.

3. By-laws amended

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

4. 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 \$1.8770 per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 29.2089 cents per unit for the first 1 650 units per day; and
 - (ii) 32.9320 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 \$1.9066 per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 38.7263 cents per unit for the first 1 650 units per day; and
 - (ii) 32.8605 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 \$1.0514 per day or, for multiple dwellings supplied through 1 metered supply point, a fixed charge at the rate of —
 - (i) \$1.0514 per day for the first dwelling; and
 - (ii) 41.8017 cents per day for each additional dwelling;

and

- (b) a charge for metered consumption at the rate of 29.3273 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 \$1.0145 per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 23.7035 cents per unit for the first 20 units per day; and
 - (ii) 25.2900 cents per unit for the next 1 630 units per day; and
 - (iii) 24.1230 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 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).

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 \$1.0007 per day; and
 - (b) if under subclause (3) there is deemed to be more than 1 equivalent domestic residence in the premises — a charge of 37.1009 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 25.4249 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.

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 \$1.8553 per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 30.6376 cents per unit for the first 20 units per day; and
 - (ii) 28.8719 cents per unit for the next 1 630 units per day; and
 - (iii) 32.5520 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 only —
 - (a) for residential use; and
 - (b) if the consumer has elected to be supplied electricity at premises at the MyPower residential tariff (subject to subclause (5)).
- (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	\$1.150013 per day	\$0.100000 per unit	1.5 units per hour
MyPower residential 3 fixed plan price	\$2.488586 per day	\$0.100000 per unit	3 units per hour
MyPower residential 5 fixed plan price	\$5.035744 per day	\$0.100000 per unit	5 units per hour
MyPower residential 7 fixed plan price	\$8.294070 per day	\$0.100000 per unit	7 units per hour
MyPower residential 10 fixed plan price	\$12.520256 per day	\$0.100000 per unit	10 units per hour
MyPower residential 15 fixed plan price	\$25.495296 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 —
- (a) on and from the day (**transfer 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); and
 - (b) the consumer cannot, in the period of 12 months beginning on transfer day, elect to be supplied electricity at those premises at the original tariff or

any other MyPower residential tariff that is above the original tariff in the Table to subclause (4).

9. MyPower non-residential tariffs

- (1) Each tariff determined under this clause (a *MyPower non-residential tariff*) is available only —
 - (a) for non-residential use; and
 - (b) if the consumer has elected to be supplied electricity at premises at the MyPower non-residential tariff (subject to subclause (5)).
- (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 business 3 fixed plan price	\$2.798068 per day	\$0.100000 per unit	3 units per hour
MyPower business 5 fixed plan price	\$6.578193 per day	\$0.100000 per unit	5 units per hour
MyPower business 7 fixed plan price	\$11.742590 per day	\$0.100000 per unit	7 units per hour
MyPower business 10 fixed plan price	\$17.436449 per day	\$0.100000 per unit	10 units per hour

Tariff name	Rate of fixed charge	Rate of metered consumption charge	Peak allowance
MyPower business 15 fixed plan price	\$26.820761 per day	\$0.100000 per unit	15 units per hour
MyPower business 20 fixed plan price	\$45.416184 per day	\$0.100000 per unit	20 units per hour
MyPower business 25 fixed plan price	\$46.735620 per day	\$0.100000 per unit	25 units per hour
MyPower business 30 fixed plan price	\$64.333485 per day	\$0.100000 per unit	30 units per hour
MyPower business 35 fixed plan price	\$68.649542 per day	\$0.100000 per unit	35 units per hour
MyPower business 40 fixed plan price	\$93.771402 per day	\$0.100000 per unit	40 units per hour
MyPower business 50 fixed plan price	\$129.737657 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 —
- (a) on and from the day (*transfer 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); and
 - (b) the consumer cannot, in the period of 12 months beginning on transfer day, elect to be supplied electricity at those premises at the original tariff or any other MyPower non-residential tariff that is

above the original tariff in the Table to subclause (4).

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.
- (4) The consumer must not, in the 12-month period immediately before electing to be supplied electricity at premises at a MyPower tariff as referred to in clause 8(1)(b) or 9(1)(b), have elected —
 - (a) to cease to be charged for the supply of electricity at those premises at a MyPower tariff; and
 - (b) instead to be charged for the supply of electricity at those premises at a tariff set out in Division 1.

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	52.3309	53.3574	57.1840
Z.02	80	Mercury vapour	57.4380	58.6768	63.7010
Z.03	125	Mercury vapour	65.0872	67.1003	74.5895
Z.07	250	Mercury vapour	77.1635	80.8587	94.7710
Z.10	400	Mercury vapour	88.6104	92.4422	121.0433
Z.13	150	High pressure sodium	64.9462	67.1108	76.7520
Z.15	250	High pressure sodium	79.4121	83.4075	98.6586
Z.18	per kW	Auxiliary lighting in public places	Not applicable	Not applicable	287.6071
Z.59	66	LED	53.4347	54.4842	57.7749

Item	Wattage	Type	Midnight Switch-off (Obsolescent) Cents per day	1.15 am Switch-off Cents per day	Dawn Switch-off Cents per day
Z.60	132	LED	65.1331	67.7871	79.2499
Z.61	198	LED	67.2581	70.7088	85.6240
Z.62	25	LED	50.9732	51.4304	52.4750
Z.63	120	LED	60.7436	62.3703	69.6843
Z.64	180	LED	67.1248	70.5419	85.3138
Z.65	18	LED	50.0429	50.2888	50.5532
Z.66	20	LED	50.1958	50.4765	50.8691
Z.67	53	LED	52.9493	53.8845	56.7402
Z.68	80	LED	54.0119	55.1973	59.0054
Z.69	160	LED	62.4601	64.4886	73.4250
<i>Street lighting for existing services only</i>					
Z.52	100	Incandescent	38.8491	40.3054	44.3728
Z.56	40	Fluorescent	50.8809	51.5795	54.1664

Division 2 — Miscellaneous

1. Traffic light installation

Supply of electricity to traffic light installations comprises a charge of \$7.9244 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 67.7400 cents per day.

3. Railway crossing

Supply of electricity to standard railway crossing lights comprises a charge of 86.5672 cents per day.

5. Schedule 4 amended

In Schedule 4 item 5 delete “\$773.50” and insert:

\$611.20

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

S. TOUGH, Director.

F. Van de KOOY, Executive Officer.