

EN302

Energy Operators (Powers) Act 1979

Energy Operators (Regional Power Corporation) (Charges) Amendment By-laws 2023

SL 2023/84

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 2023*.

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 2023.

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 \$1.9720 per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 30.6876 cents per unit for the first 1 650 units per day; and
 - (ii) 34.5992 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 \$1.7797 per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 36.1484 cents per unit for the first 1 650 units per day; and
 - (ii) 30.6731 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 \$1.1046 per day or, for multiple dwellings supplied through 1 metered supply point, a fixed charge at the rate of —
 - (i) \$1.1046 per day for the first dwelling; and
 - (ii) 43.9179 cents per day for each additional dwelling;
 - and
 - (b) a charge for metered consumption at the rate of 30.8120 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 \$1.0660 per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 24.9035 cents per unit for the first 20 units per day; and
 - (ii) 26.5704 cents per unit for the next 1 630 units per day; and
 - (iii) 25.3443 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 \$1.0513 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 38.9791 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 26.7120 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 \$1.9492 per day; and
 - (b) a charge for metered consumption at the rate of —

- (i) 32.1886 cents per unit for the first 20 units per day; and
- (ii) 30.3335 cents per unit for the next 1 630 units per day; and
- (iii) 34.1999 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	\$1.208232 per day	\$0.100000 per unit	1.5 units per hour
MyPower residential 3 fixed plan price	\$2.614571 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	\$5.290679 per day	\$0.100000 per unit	5 units per hour
MyPower residential 7 fixed plan price	\$8.713957 per day	\$0.100000 per unit	7 units per hour
MyPower residential 10 fixed plan price	\$13.154094 per day	\$0.100000 per unit	10 units per hour
MyPower residential 15 fixed plan price	\$26.785995 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 —
- for non-residential use; and
 - 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
 - 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 fixed charge at the applicable rate; and
 - 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	\$2.939720 per day	\$0.100000 per unit	3 units per hour
MyPower non-residential 5 fixed plan price	\$6.911214 per day	\$0.100000 per unit	5 units per hour
MyPower non-residential 7 fixed plan price	\$12.337059 per day	\$0.100000 per unit	7 units per hour
MyPower non-residential 10 fixed plan price	\$18.319169 per day	\$0.100000 per unit	10 units per hour
MyPower non-residential 15 fixed plan price	\$28.178562 per day	\$0.100000 per unit	15 units per hour
MyPower non-residential 20 fixed plan price	\$42.392975 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	\$43.624580 per day	\$0.100000 per unit	25 units per hour
MyPower non-residential 30 fixed plan price	\$60.051012 per day	\$0.100000 per unit	30 units per hour
MyPower non-residential 35 fixed plan price	\$64.079763 per day	\$0.100000 per unit	35 units per hour
MyPower non-residential 40 fixed plan price	\$87.529342 per day	\$0.100000 per unit	40 units per hour
MyPower non-residential 50 fixed plan price	\$121.101439 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	58.6881	59.8393	64.1308
Z.02	80	Mercury vapour	64.4156	65.8049	71.4395
Z.03	125	Mercury vapour	72.9941	75.2517	83.6507
Z.07	250	Mercury vapour	86.5374	90.6815	106.2839
Z.10	400	Mercury vapour	99.3749	103.6722	135.7478
Z.13	150	High pressure sodium	72.8359	75.2635	86.0759
Z.15	250	High pressure sodium	89.0592	93.5399	110.6437
Z.18	per kW	Auxiliary lighting in public places	Not applicable	Not applicable	322.5459
Z.59	66	LED	59.9260	61.1030	64.7935
Z.60	132	LED	73.0455	76.0219	88.8773
Z.61	198	LED	75.4287	79.2986	96.0257
Z.62	25	LED	57.1655	57.6782	58.8497
Z.63	120	LED	68.1228	69.9471	78.1496
Z.64	180	LED	75.2792	79.1114	95.6778
Z.65	18	LED	56.1222	56.3979	56.6945
Z.66	20	LED	56.2936	56.6084	57.0487
Z.67	53	LED	59.3816	60.4304	63.6331
Z.68	80	LED	60.5733	61.9027	66.1734
Z.69	160	LED	70.0478	72.3227	82.3447
<i>Street lighting for existing services only</i>					
Z.52	100	Incandescent	43.5685	45.2017	49.7633
Z.56	40	Fluorescent	57.0620	57.8454	60.7466

Division 2 — Miscellaneous**1. Traffic light installation**

Supply of electricity to traffic light installations comprises a charge of \$8.4605 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 72.0146 cents per day.

3. Railway crossing

Supply of electricity to standard railway crossing lights comprises a charge of 92.0299 cents per day.

5. Schedule 3 amended

In Schedule 3 delete “16.89” and insert:

17

6. 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	\$25.21
2. Three phase residential installation — new installation of three phase meter or replacement of single phase meter with three phase meter	\$960.00
3. Temporary supply connection —	
(a) single phase (overhead)	\$960.00
(b) three phase (overhead)	\$960.00
4. Meter testing —	
(a) standard meter testing fee	\$259.70
(b) reduced meter testing fee	\$162.20
5. Disconnection of overhead service leads following unauthorised reconnection	\$642.11
6. Overdue account notices	\$6.09
7. Rejected account payment (where payment made through Australia Post)	\$28.89

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	\$27.63
10. Meter damage fee	\$894.00
11. Remote connection or disconnection	\$6.52
12. Paper bill fee	\$1.26
13. Over-the-counter payment fee	\$2.67

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

SAMANTHA TOUGH, Director.
KRYSTAL SKINNER, Executive Officer.