

Western Australia

**Energy Operators (Electricity Retail
Corporation) (Charges) By-laws 2006**

As at 01 Jul 2007

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Energy Operators (Electricity Retail Corporation) (Charges) By-laws 2006

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Energy Operators (Electricity Retail Corporation) (Charges) By-laws 2006

1. Citation

These by-laws are the *Energy Operators (Electricity Retail 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)(c);

dwelling means a house, flat, home unit or other place of residence used solely for residential purposes;

half-hourly maximum demand means the maximum demand in kilowatts recorded during the accounting period concerned in any period of half an hour;

off peak means any period other than on peak;

on peak means the periods between 8.00 a.m. and 10.00 p.m. Monday to Friday;

residential tariff means Tariff A1 or B1;

Tariff followed by a designation means the tariff so designated in Schedule 1;

bl. 3A

unit, in relation to a charge for electricity, means one kilowatt hour.

3A. Construction of references to time

- (1) In this by-law —
standard time and *summer time* have the meaning given to those terms in the *Daylight Saving Act 2006* section 3.
- (2) For the purposes of the *Daylight Saving Act 2006* section 7, it is provided that a reference in these by-laws to any time or period of time is to be construed as a reference to —
 - (a) standard time and not to summer time; or
 - (b) that period of time as determined by reference to standard time and not by reference to summer time.

[By-law 3A inserted in Gazette 1 Dec 2006 p. 5349-50.]

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 a 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, a 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-by-law (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 a residential tariff.

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.

bl. 9

- (4) An amount payable under sub-bylaw (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
- (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 A1, 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 A1 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
 - (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 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%.

Schedule 1 — Supply charges

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

1. Tariff L1 (general supply — low/medium voltage tariff)

- (1) Tariff L1 is available for low/medium voltage supply.
- (2) Tariff L1 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.

2. Tariff M1 (general supply — high voltage tariff)

- (1) Tariff M1 is available for consumers supplied at 6.6kV, 11kV, 22kV or 33kV or such higher voltage as the corporation may approve.
- (2) Tariff M1 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) 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.

3. Tariff R1 (time of use tariff)

[(1) repealed]

- (2) Tariff R1 comprises —
 - (a) a fixed charge at the rate of \$1.09 per day; and
 - (b) an energy charge consisting of —
 - (i) an on peak energy charge at the rate of 19.13 cents per unit; and
 - (ii) an off peak energy charge at the rate of 5.90 cents per unit.

cl. 3A

- (3) Tariff R1 is subject to the following conditions —
- (a) the consumer agrees to take the tariff for a minimum period of 12 months;
 - (b) the consumer pays the fee set out in Schedule 4 item 11;
 - (c) the consumer satisfies the corporation that the amount of electricity supplied to the consumer's premises will be less than 50 megawatt hours per annum.

[Clause 3 amended in Gazette 26 Jun 2007 p. 3014.]

3A. Tariff R3 (time of use tariff)

- (1) Tariff R3 comprises for each supply period specified in the first column of the Table to this subclause —
- (a) a fixed charge at the rate per day set out opposite the supply period in the second column of that Table; and
 - (b) an energy charge consisting of —
 - (i) an on peak energy charge at the rate per unit set out opposite the supply period in the third column of that Table; and
 - (ii) an off peak energy charge at the rate per unit set out opposite the supply period in the fourth column of that Table.

Table

Supply period	Fixed charge	Energy charge	
		On peak	Off peak
1 July 2007 to 30 June 2008	\$1.19	20.85 cents	6.43 cents
1 July 2008 to 30 June 2009	\$1.25	21.89 cents	6.75 cents
1 July 2009 to 30 June 2010	\$1.31	22.99 cents	7.09 cents
1 July 2010 to 30 June 2011	\$1.38	24.14 cents	7.44 cents
1 July 2011 to 30 June 2012	\$1.44	25.35 cents	7.82 cents

- (2) Tariff R3 is subject to the following conditions —
- (a) the consumer agrees to take the tariff for a minimum period of 12 months;
 - (b) the consumer pays the fee set out in Schedule 4 item 11;
 - (c) the consumer satisfies the corporation that the amount of electricity supplied to the consumer's premises will be 50 megawatt hours or more per annum.

[Clause 3A inserted in Gazette 26 Jun 2007 p. 3014-15.]

4. Tariff S1 (low/medium voltage time based demand and energy Tariff)

- (1) Tariff S1 is available for low/medium voltage supply.
- (2) Tariff S1 comprises for each supply period specified in the first column of the Table to this subclause —
- (a) a minimum charge at the rate per day set out opposite the supply period in the second column of that Table; and
 - (b) a demand charge at the rate per day set out opposite the supply period in the third column of that Table multiplied by —
 - (i) the on peak half-hourly maximum demand; or
 - (ii) 30% of the off peak half-hourly maximum demand, whichever is the greater; and
 - (c) an energy charge consisting of —
 - (i) an on peak energy charge at the rate per unit set out opposite the supply period in the fourth column of that Table; and
 - (ii) an off peak energy charge at the rate per unit set out opposite the supply period in the fifth column of that Table.

Table

Supply period	Minimum charge	Demand charge	Energy charge	
			On peak	Off peak

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Supply period	Minimum charge	Demand charge	Energy charge	
			On peak	Off peak
1 July 2007 to 30 June 2008	\$263.96	67.06 cents	9.61 cents	6.08 cents
1 July 2008 to 30 June 2009	\$277.16	70.41 cents	10.09 cents	6.39 cents
1 July 2009 to 30 June 2010	\$291.02	73.93 cents	10.60 cents	6.71 cents
1 July 2010 to 30 June 2011	\$305.57	77.63 cents	11.13 cents	7.04 cents
1 July 2011 to 30 June 2012	\$320.84	81.51 cents	11.69 cents	7.39 cents

- (3) Tariff S1 is subject to the following conditions —
- (a) the consumer must agree to take the tariff for a minimum period of 12 months;
 - (b) the power factor must be 0.8 or better during the on peak period;
 - (c) the corporation reserves the right to levy a charge of 41.06 cents per day per kVAR for the kVAR necessary to improve the power factor to 0.8 lagging in any period during which the power factor at the time of the consumer's maximum demand is less than 0.8.

[Clause 4 amended in Gazette 26 Jun 2007 p. 3015-16.]

5. Tariff T1 (high voltage time based demand and energy tariff)

- (1) Tariff T1 is available to consumers supplied at 6.6kV, 11kV, 22kV or 33kV or such higher voltage as the corporation may approve.
- (2) Tariff T1 comprises for each supply period specified in the first column of the Table to this subclause —
 - (a) a minimum charge at the rate per day set out opposite the supply period in the second column of that Table; and
 - (b) a demand charge at the rate per day set out opposite the supply period in the third column of that Table multiplied by —

- (i) the on peak half-hourly maximum demand; or
- (ii) 30% of the off peak half-hourly maximum demand, whichever is the greater; and
- (c) an energy charge consisting of —
 - (i) an on peak energy charge at the rate per unit set out opposite the supply period in the fourth column of that Table; and
 - (ii) an off peak energy charge at the rate per unit set out opposite the supply period in the fifth column of that Table.

Table

Supply period	Minimum charge	Demand charge	Energy charge	
			On peak	Off peak
1 July 2007 to 30 June 2008	\$348.23	61.36 cents	8.98 cents	5.98 cents
1 July 2008 to 30 June 2009	\$365.64	64.43 cents	9.43 cents	6.28 cents
1 July 2009 to 30 June 2010	\$383.92	67.65 cents	9.90 cents	6.60 cents
1 July 2010 to 30 June 2011	\$403.12	71.03 cents	10.40 cents	6.93 cents
1 July 2011 to 30 June 2012	\$423.28	74.58 cents	10.92 cents	7.27 cents

- (3) Tariff T1 is subject to the following conditions —
 - (a) the consumer must agree to take the tariff for a minimum period of 12 months;
 - (b) it applies to a consumer who owns all equipment except tariff metering equipment on the load side of the consumer's high voltage terminals;
 - (c) the power factor must be 0.8 or better during the on peak period;
 - (d) the corporation reserves the right to levy a charge of 41.06 cents per day per kVAR for the kVAR necessary to

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improve the power factor to 0.8 lagging in any period during which the power factor at the time of the consumer's maximum demand is less than 0.8.

[Clause 5 amended in Gazette 26 Jun 2007 p. 3016-17.]

6. Standby charges

- (1) Standby charges are applicable to consumers with their own generation and supplied on Tariff L1, R1, R3, S1, M1 or T1 and are payable in addition to those tariffs.
- (2) In the case of Tariff L1, R1 or R3, the standby charge is 5.72 cents per day per kW based on the difference between total half-hourly maximum demand and normal half-hourly maximum demand.
- (3) In the case of Tariff S1, the standby charge is 5.72 cents per day per kW based on the difference between —
 - (a) total half-hourly maximum demand and normal half-hourly maximum demand; or
 - (b) total half-hourly maximum demand and registered half-hourly maximum demand,whichever is less.
- (4) In the case of Tariff M1, the standby charge is 5.10 cents per day per kW based on the difference between total half-hourly maximum demand and normal half-hourly maximum demand.
- (5) In the case of Tariff T1, the standby charge is 5.10 cents per day per kW based on the difference between —
 - (a) total half-hourly maximum demand and normal half-hourly maximum demand; or
 - (b) total half-hourly maximum demand and registered half-hourly maximum demand,whichever is less.
- (6) The provision of a standby service is subject to the following conditions —
 - (a) the consumer must pay for the cost of all additional mains and equipment necessary to provide the standby service;

- (b) the standby service agreement must be for a minimum period of 12 months;
- (c) the consumer must give 6 months notice in writing to the corporation of intention to terminate the standby service agreement;
- (d) the normal half-hourly maximum demand will be assessed by the corporation and will be based on loading normally supplied from the corporation's supply;
- (e) notwithstanding the corporation's assessment, in any accounting period the normal half-hourly maximum demand is taken to be not less than —

$$\frac{\text{kWh registered for the accounting period}}{24 \times (\text{number of days in the accounting period}) \times 0.4}$$

- (f) the total half-hourly maximum demand will be assessed by the corporation as the consumer's expected half-hourly minimum demand on the corporation's system without the consumer's generation equipment in operation;
- (g) the difference between total half-hourly maximum demand and normal half-hourly maximum demand will not exceed —
 - (i) the capacity of the consumer's generation equipment; or
 - (ii) the expected maximum loading of such generation equipment, as assessed by the corporation.

[Clause 6 amended in Gazette 26 Jun 2007 p. 3017.]

7. Tariff A1 (residential tariff)

- (1) Tariff A1 is available for residential use only.
 - (2) Tariff A1 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

cl. 8

- (b) a charge for metered consumption at the rate of 13.94 cents per unit.

8. Tariff B1 (residential water heating tariff)

- (1) Tariff B1 is available for residential water heating during a 6 hour period between the hours of 11.00 p.m. and 6.00 a.m. for installations approved by the corporation. Other single phase hardwired appliances may be connected in conjunction with the water heater.
- (2) Tariff B1 comprises —
 - (a) a fixed charge at the rate of 12.84 cents per day or, for multiple dwellings supplied through one metered supply point, a fixed charge at the rate of 12.84 cents per day for each dwelling; and
 - (b) a charge for metered consumption at the rate of 7.10 cents per unit.

9. Tariff C1 (special community service tariff)

- (1) Tariff C1 is available for small voluntary and charitable organisations, subject to the conditions listed in subclause (3).
- (2) Tariff C1 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;
 - (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 C1 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).

10. Tariff D1 (special tariff for certain premises)

- (1) Tariff D1 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 A1 is not available.
- (2) Tariff D1 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.

11. Tariff K1 (general supply with residential tariff)

- (1) Tariff K1 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 K1 comprises —
 - (a) a fixed charge at the rate of 25.57 cents per day; and

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- (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.

12. Tariff W1 (traffic light installations)

Tariff W1 comprises a charge of \$1.61 per day per kilowatt of the total installed wattage.

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
Street lighting on current offer and for existing services						
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
Street lighting for existing services only						
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
Z.52	100	Incandescent	Any	17.09	17.47	18.79

Energy Operators (Electricity Retail 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.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

Schedule 3 — Meter rental

[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.

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	\$29.80
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	\$4.10
11. Tariff R1 or R3 “time-of-use meter” installation fee	\$709.00

[Schedule 4 amended in Gazette 26 Jun 2007 p. 3017.]

Notes

- ¹ This is a compilation of the *Energy Operators (Electricity Retail Corporation) (Charges) By-laws 2006* and includes the amendments made by the other written laws referred to in the following table.

Compilation table

Citation	Gazettal	Commencement
<i>Energy Operators (Electricity Retail Corporation) (Charges) By-laws 2006</i>	31 Mar 2006 p. 1225-46	1 Apr 2006 (see bl. 2)
<i>Energy Operators (Electricity Retail Corporation) (Charges) Amendment By-laws 2006</i>	1 Dec 2006 p. 5349-50	1 Dec 2006
<i>Energy Operators (Electricity Retail Corporation) (Charges) Amendment By-laws 2007</i>	26 Jun 2007 p. 3013-17	bl. 1 and 2: 26 Jun 2007 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Jul 2007 (see bl. 2(b))