



Electricity

**Licence**



## Electricity System Control Licence

ElectraNet Pty Ltd

ACN 094 482 416

Issued by the South Australian Independent Industry Regulator on 31 October 2000.  
Last varied by the Essential Services Commission on 16 October 2019.

## Variation history

Amendment number	Variation date	Reason	
1 (SAIIR)	31 October 2000		
2 (ESCOSA)	1 July 2008		
ESCOSA03	16 October 2019	Licence varied to reflect amendments to the Act, update outdated references and correct typographical errors.	

# 1 Definitions and interpretation

- 1.1 Words appearing in bold like **this** are defined in part 1 of the schedule.
- 1.2 This licence must be interpreted in accordance with the rules set out in part 2 of the schedule.

# 2 Grant of licence

- 2.1 The **licensee** is licensed under Part 3 of the **Act**, and subject to the conditions set out in this licence, to exercise system control over the **power system**.

# 3 Term

- 3.1 This licence commences on the date it is issued and continues until:
  - (a) it is surrendered by the **licensee** under section 29 of the **Act**; or
  - (b) it is cancelled by the **Commission** under section 37 of the **Act**.

# 4 Accounts and separate businesses

- 4.1 The **licensee** must, in a manner and form approved by the **Commission**:
  - (a) maintain accounting records and prepare accounts for the business of system control authorised by this licence; and
  - (b) keep the business of system control authorised by this licence, and the accounts for that business, separate from any other business operated by the **licensee** (including, without limitation, any electricity transmission business operated by the **licensee**) separate from any business operated by any other person.
- 4.2 The **licensee** must ensure that any services it provides to, or receives from, any **electricity entity**, or any other person, are provided or received on a non-discriminatory commercial basis.

# 5 System Controller and AEMO

- 5.1 The **Licensee** must, following a request from **AEMO**, provide to **AEMO** such documents and information as **AEMO** may reasonably require for the performance of its functions.

# 6 Information to the Commission

- 6.1 The **licensee** must, from time to time, provide to the **Commission**, in a manner and form determined by the **Commission**:
  - (a) details of the **licensee's** financial, technical and other capacity to continue the operations authorised by this licence; and
  - (b) such other information as the **Commission** may require from time to time.
- 6.2 The **licensee** must notify the **Commission** of any changes to its **officers**, and (if applicable) major shareholders, within 30 days of that change.



## 7 Compliance with codes

7.1 The licensee must:

- (a) comply with all applicable provisions of the Electricity Transmission Code;
- (b) comply with all applicable provisions of any other Code or rule made by the Commission from time to time; and
- (c) notify the Commission if it commits a material breach of the Electricity Transmission Code within 3 days after becoming aware of that breach.

## 8 Operation and compliance audits

8.1 The licensee must undertake annual audits of the operations authorised by the licence and of its compliance with its obligations under this licence and any applicable Codes.

8.2 The audits must be conducted by an independent expert nominated by the licensee and approved by the Commission.

8.3 The results of each such audit must be reported to the Commission in a manner approved by the Commission.

## 9 Confidentiality

9.1 The licensee must, unless otherwise required by law, this licence, a Code or the National Electricity Rules:

- (a) comply with any rules determined by the Commission from time to time relating to the use of information acquired by the licensee in the course of conducting the operations authorised by this licence; and
- (b) ensure that information concerning a customer or a user of the power system is not disclosed without the explicit informed consent of that customer or user.

9.2 The licensee must not disclose confidential information to an intelligence or law enforcement agency unless requested to do so by an intelligence or law enforcement agency on the basis that disclosure:

- (a) is necessary under the terms of a warrant issued under Division 2 of the *Australian Security Intelligence Organisation Act 1979* or under the terms of any other court order; or
- (b) is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty or for the protection of the public revenue; or
- (c) is necessary to safeguard the national security of Australia.

The licensee may accept an assertion of an intelligence or law enforcement agency, without making further enquiry, for the purposes of paragraphs (b) and (c) above.

9.3 Except as required by a law or the National Electricity Rules, the licensee must ensure that any information it provides to any electricity transmission business operated by it or to any other electricity entity is provided on non-discriminatory commercial terms.

## 10 Community service

- 10.1 The licensee must comply with the requirements of any scheme approved and funded by the Minister for the provision by the State of customer concessions or the performance of community service obligations by electricity entities.

## 11 Compliance with laws

- 11.1 The licensee must comply with all applicable laws and any technical or safety requirements or standards contained in regulations made under the Act.

## 12 Switching manual

- 12.1 The licensee must:
- (a) prepare and maintain an internal switching manual in accordance with the regulations; and
  - (b) comply with any other requirements relating to switching prescribed in the regulations.

## 13 Variation

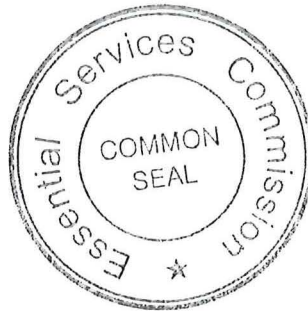
- 13.1 This licence may only be varied in accordance with section 27 of the Act.

## 14 Transfer

- 14.1 This licence may only be transferred in accordance with section 28 of the Act.

This licence was issued by the Commission on 31 October 2000 and last varied by the Commission on 16 October 2019.

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ESSENTIAL SERVICES )  
COMMISSION of South )  
Australia was hereunto )  
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ESSENTIAL SERVICES )  
COMMISSION and in the )  
presence of: )



*Butt House*

Commissioner

*16 October 2019*

Date

# Schedule: Definitions and Interpretation

## Part 1 – Definitions

In this licence:

**Act** means the Electricity Act 1996 (SA);

**AEMO** means the Australian Energy Market Operator Ltd (ACN 072 010 327)

**business day** means a day on which banks are open for general banking business in Adelaide, excluding a Saturday or Sunday;

**Code** means any code, made by the **Commission** under section 28 of the **Essential Services Commission Act**, as in force from time to time;

**Commission** means the Essential Services Commission of South Australia established under the Essential Services Commission Act 2002;

**customer** has the meaning given to that term in the **Act**;

**electricity entity** means a person who has been granted a licence under Part 3 of the **Act** to carry on operations in the electricity supply industry;

**Electricity Transmission Code** means the **industry code** of that name made by the **Commission** under section 28 of the **Essential Services Commission Act**,

**Essential Services Commission Act** means the Essential Services Commission Act 2002;

**explicit informed consent** has the same meaning as is given to that term in the Energy Transfer and Consent Code made by the **Commission** under section 28 of the **Essential Services Commission Act**;

**licensee** means ElectraNet Pty Ltd (ACN 094 482 416);

**Minister** means the person who is responsible for the administration of the **Act**;

**National Electricity Law** means the National Electricity Law referred to in the National Electricity (South Australia) Act 1996 (SA);

**National Electricity Rules** has the meaning given to that term in the **National Electricity Law**;

**officer** means a director or secretary;

**power system** means the system for the generation, transmission and distribution of electricity which constitutes such of the "power system" (as that term is defined in the **National Electricity Rules**) as is located either in South Australia or in another State but near the border of that State with South Australia; and

**rule** means any rule made by the **Commission** under section 28 of the **Essential Services Commission Act**.



## Part 2 - Interpretation

In this licence, unless the context otherwise requires:

- (a) headings are for convenience only and do not affect the interpretation of this licence;
- (b) words importing the singular include the plural and vice versa;
- (c) words importing a gender include any gender;
- (d) an expression importing a natural person includes any company, partnership, trust, joint venture, association, corporation or other body corporate and any governmental agency;
- (e) a reference to any statute, regulation, proclamation, order in council, ordinance or by-law includes all statutes, regulations, proclamations, orders in council, ordinances or by-laws varying, consolidating, re-enacting, extending or replacing them and a reference to a statute includes all regulations, proclamations, orders in council, ordinances, by-laws and determinations issued under that statute;
- (f) a reference to a document or a provision of a document includes an amendment or supplement to, or replacement or novation of, that document or that provision of that document; and
- (g) an event which is required under this licence to occur on or by a stipulated day which is not a **business day** may occur on or by the next **business day**.





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