

SA Power Networks – Waiver Register

Waiver	Title	Waiver details	Final Decision	Timing
1	Temporary Generation	<p>On 27 April 2017, SA Power Networks submitted to the AER a waiver application under clause 5.2 of the electricity ring fencing guideline 2016 for temporary generation.</p> <p>In March and April 2020, SA Power Networks made applications to the AER to extend the waiver granted on 21 June 2017 for the Temporary Generation South site to 1 December 2020, and the Temporary Generation North site to 30 June 2021.</p>	<p>On 21 June 2017, the AER decided to waive SA Power Networks' obligation to comply with clauses 3.1, 4.2 and 4.4.1(a) of the Ring-fencing Guideline from 21 June 2017 until 1 June 2020 for SA Power Networks' temporary generation project. This is on the following conditions:</p> <ul style="list-style-type: none"> that the temporary generation capacity is only utilised for the purpose of avoiding load shedding for <i>NEM</i> operational purposes when there is no alternative generation available is only utilised at the direction of <i>AEMO</i> or the South Australian Energy Minister is fully funded by the South Australian Government, who also receives all revenues from the project, and SA Power Networks cannot (and will not) advertise or promote other merchant generation services <p>On 1 May 2020, the AER decided to vary the waiver from SA Power Networks' obligation to comply with clauses 3.1, 4.2 and 4.4.1(a) of the Guideline by extending the expiry date of the waiver to 1 December 2020 in respect of operations and maintenance of the Temporary Generation South unit, and to 30 June 2021 in respect of the 30 Temporary Generation North unit.</p> <p>The waiver remains subject to the following conditions:</p> <ul style="list-style-type: none"> that the generation capacity is only utilised for the purpose of avoiding load shedding for <i>NEM</i> operational purposes when there is no alternative generation available; and is only utilised at the direction of <i>AEMO</i> or the South Australian Energy Minister; and is fully funded by the SA Government, who also receives all revenues from the project; and SA Power Networks cannot (and will not) advertise or promote other merchant generation services. 	<p>Start Date 21/06/2017</p> <p>Expiry Date 01/06/2020</p> <p>Start Date 1/06/2020</p> <p>Expiry Date TGS:01/12/2020 TGN:30/06/2021</p>

Waiver	Title	Waiver details	Final Decision	Timing
2	Negotiated Distribution Services	On 2 August 2017, SA Power Networks submitted to the AER a waiver application under clause 5.2 of the Electricity ring-fencing guideline 2016 (Guideline). The waiver application has been made to assist SA Power Networks to transition to full compliance with the Guideline as soon as reasonably practicable, taking into account the costs of full compliance.	On 18 December 2017, the AER decided to waive SA Power Networks' obligation to comply with clauses 4.2 and 4.4.1(a) of the Ring-fencing Guideline from 18 December 2017 until 30 June 2020 in relation to the provision of its negotiated distribution services, as provided in the waiver application and final decision.	Start Date 18/12/2017 Expiry Date 30/06/2020
3	Existing construction and maintenance contracts	On 3 September 2018, SA Power Networks lodged a waiver extension application in relation to 21 existing construction and maintenance contracts for which SA Power Networks have been unable to obtain a Private Binding Ruling from the Australian Taxation Office.	On 28 September 2018, the AER decided to extend the waiver for SA Power Networks' obligation to comply with clause 3.1 of the Ring-fencing Guideline, which commenced on 18 December 2017, to 30 June 2021 to continue to provide Other Services currently contracted out under 21 construction and maintenance contracts. This is on the condition that SA Power Networks notify the AER 30 days prior to entering into an extension of any of the relevant contracts. For clarity, this condition does not apply if the extension arises from the relevant customer exercising an option already present within the terms of the contract to extend or vary the agreement.	Start Date 18/12/2017 Expiry Date 30/06/2021
4	Extension of waiver for one construction and maintenance contract	In May 2021, SA Power Networks made an application to the AER to extend the waiver granted on 28 September 2018 in respect of 1 of the 21 construction and maintenance contracts that was the subject of the original waiver application. The application was necessitated by the customer exercising a two-year right of extension under the original contract.	On 3 June 2021, the AER decided to extend the waiver for SA Power Networks' obligation to comply with clause 3.1 of the Ring-fencing Guideline, in respect of this construction and maintenance contract still being performed by SA Power Networks under the 28 September 2018 waiver application. On 8 September 2021, the AER noted a variation to this contract clarifying (not extending) the scope of services being provided under this contract. It granted a waiver with these updated contract terms and confirmed the waiver expiry remains as 30 June 2023.	Start Date 03/06/2021 Expiry Date 30/06/2023