

## ANNEXURE 1 – AMENDMENTS TO THE CODE

This Annexure contains the amendments that the Authority is making to the Electricity Industry Code (the Code) to give effect to the process that will apply when a customer makes a claim for a GSL payment under Part 2.5 of the Code, to come into effect on 1 July 2010.

This Annexure is a “final version of the proposed amendments to the Code” for the purposes of section 222O(b) of the Electricity Regulation 2006.

The following paragraphs contain the amendments to the Code being made by the Authority:

### A.1 Clause 2.5.11 Claiming a *GSL* payment

In sub-clause 2.5.11(a) of the Code:-

- (i) Replace “2.5.6” with “2.5.8”.
- (iii) After “may make a claim for a *GSL* payment”, insert “within three months of the event giving rise to the claim”.

Delete sub-clause 2.5.11(b) of the Code.

Re-name sub-clause 2.5.11(c) of the Code “2.5.11(b)” and:-

- (iv) Replace “A *small customer* must make a claim from the *distribution entity* to be entitled to a *GSL* payment under clause 2.5.9” with “A *distribution entity* must use best endeavours to automatically give a *GSL* payment to a *small customer* eligible for it under clause 2.5.9. However, a *small customer* may make a claim for a *GSL* payment where a *distribution entity* has not done so”; and
- (v) In paragraph (i) of that sub-clause, replace “one month” with “three months”.

Following these changes, clause 2.5.11 will read as follows:

#### **2.5.11 Claiming a *GSL* payment**

- (a) A *distribution entity* must use best endeavours to automatically give a *GSL* payment to a *small customer* eligible for it under clauses 2.5.3 to 2.5.8. However, a *small customer* may make a claim for a *GSL* payment within three months of the event giving rise to the claim where a *distribution entity* has not done so.
- (b) A *distribution entity* must use best endeavours to automatically give a *GSL* payment to a *small customer* eligible for it under clause 2.5.9. However, a *small customer* may make a claim for a *GSL* payment where a *distribution entity* has not done so:
  - (i) within three months of the relevant *interruption* for an *interruption duration GSL*; and
  - (ii) within three months of the end of the relevant *financial year* for an *interruption frequency GSL*.

## A.2 Clause 2.5.14 Processing claims

In clause 2.5.14 of the Code:-

- (i) After “A *distribution entity* must”, insert “use best endeavours to”; and
- (ii) Replace “promptly” with a semi-colon and the following two sub-clauses:
  - “(a) within one month after receiving a claim under clauses 2.5.11(a) and 2.5.11(b)(i); and
  - “(b) in respect of a claim for an *interruption frequency GSL* under clause 2.5.11(b)(ii), within one month after the end of the *financial year* or one month after receiving a claim, whichever is the later.”

Following these changes, clause 2.5.14 will read as follows:

### 2.5.14 Processing claims

A *distribution entity* must use best endeavours to process a claim for a *GSL payment*:

- (a) within one month after receiving a claim under clauses 2.5.11(a) and 2.5.11(b)(i); and
- (b) in respect of a claim for an *interruption frequency GSL* under clause 2.5.11(b)(ii), within one month after the end of the *financial year* or one month after receiving a claim, whichever is the later.

## A.3 Clause 2.5.9(a)(ii) Reliability – interruption frequency GSL

In clause 2.5.9(a)(ii) of the Code:-

- (i) After “(“*interruption frequency GSL*”).”, insert “Irrespective of when during a *financial year* that a *small customer* becomes eligible for a *GSL payment* under this *interruption frequency GSL*, the *distribution entity* is only required to assess the eligibility of a *small customer* to a *GSL payment* (including an automatic payment under clause 2.5.11(b)) after the end of that *financial year*.”

Following these changes, clause 2.5.9(a)(ii) will read as follows:

- (ii) once that *small customer* experiences the relevant number of *interruptions* at its *premises* in a *financial year* as set out in the following table (“*interruption frequency GSL*”). Irrespective of when during a *financial year* that a *small customer* becomes eligible for a *GSL payment* under this *interruption frequency GSL*, the *distribution entity* is only required to assess the eligibility of a *small customer* to a *GSL payment* (including an automatic payment under clause 2.5.11(b)) after the end of that *financial year*.