

# **REGULATED SUPPLY SERVICE CODE**

**Energy Market Authority of Singapore**

**December 2006**

**REGULATED SUPPLY SERVICE CODE**

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## **1 GENERAL AND ADMINISTRATIVE PROVISIONS**

### **1.1 THE PURPOSE OF THIS CODE**

- 1.1.1 This Code sets forth the minimum standards of performance in accordance with which a Market Support Services Licensee is required to supply and sell electricity and provide other associated market support services to non-contestable consumers under section 21 of the Act. It also describes the rights and obligations of a Market Support Services Licensee and a non-contestable consumer with respect to regulated supply service.

### **1.2 TO WHOM THIS CODE APPLIES**

- 1.2.1 This Code applies to a Market Support Services Licensee who is subject to this Code as a condition of its electricity licence.
- 1.2.2 A Market Support Services Licensee may be exempted from compliance with this Code, in whole or in part, subject to such conditions or restrictions as the Authority may determine. A Market Support Services Licensee that has been so exempted shall not, subject to such conditions or restrictions, be required to comply with the provisions of this Code that are the subject of the exemption unless and until such exemption is withdrawn or modified.
- 1.2.3 This Code does not apply in respect of the provision by a Market Support Services Licensee of market support services to a contestable consumer, and all references in this Code to a consumer shall be interpreted accordingly.

### **1.3 DEFINITIONS**

- 1.3.1 In this Code, unless the context otherwise requires:

“account” means a contractual relationship between a Market Support Services Licensee and a non-contestable consumer for the provision of regulated supply service and has, where applicable, the extended meaning ascribed thereto in sections 1.4.7 and 2.4.2;

“Act” means the Electricity Act (Cap. 89A);

“Authority” means the Energy Market Authority of Singapore established under the Energy Market Authority of Singapore Act (Cap 92B);

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“business day” means, where expressed by reference to a person in Singapore, any day other than a Saturday, a Sunday or a day on which banks are authorised or required to be closed in Singapore and, where expressed by reference to the jurisdiction of a person other than Singapore, means any day other than a Saturday, a Sunday or a day on which banks are authorised or required to be closed in the jurisdiction of that person;

“circuit breaker” means a switching device having a switching capacity sufficient to withstand the electrical stresses occurring when connecting and disconnecting equipment and sections of installations under fault and fault-free conditions, and in particular under short-circuit conditions;

“Code” means this Regulated Supply Service Code;

“Conditions of Service” means the documents required to be prepared by a Market Support Services Licensee pursuant to section 13 that sets forth the terms and conditions under which the Market Support Services Licensee will provide regulated supply service to a non-contestable consumer, and that are similar to those in use prior to coming into effect of this Code, or such form as approved by the Authority from time to time;

“connect” means in respect of a consumer’s or Generation Licensee’s installation, to put into place a physical link between the relevant service connection and the relevant connection point, but excluding the physical link between the service connection termination and the installation, and “connection”, “disconnection”, “reconnection” and all grammatical variations thereof shall be interpreted accordingly, provided that the term “disconnection” shall be interpreted to mean the removal of the physical link and/or discontinuing the flow of electricity to or from an installation;

“connection point” means

- for a load, the point at which the circuit breaker or other isolating device owned and controlled by the Transmission Licensee is located on the Transmission Licensee’s side of a service connection, other than that of an interconnector; and
- for a generating station, the point at which the Transmission System is terminated at the Generation Licensee’s installation;

“consumer information” means information relating to a specific consumer of a Market Support Services Licensee obtained by the Market Support Services Licensee in the performance of regulated supply service, and includes information obtained without the consent of the consumer;

“electricity tariff period” means the period of time, approved by the Authority, for which a electricity tariff determined in accordance with section 7.2.1 (b) is to be prescribed and remain in effect;

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“energise” means

- in the case of a consumer’s installation other than an installation of a sub-metered consumer or of any other consumer that receives a supply of electricity via another consumer’s internal electrical system, the closing of a circuit breaker or other isolating device, owned and controlled by the Transmission Licensee, located at a connection point, and which enables the meter at the installation to be read by the Meter Reader, and “energisation”, “de-energisation” and “re-energisation” and all grammatical variations thereof shall be interpreted accordingly; and
- in the case of a sub-metered consumer’s installation or any consumer that receives supply of electricity via another consumer’s internal electrical system, the closing of a circuit breaker or other isolating device, located at the boundary between the electrical system of the master-metered installation and the installation of a sub-metered consumer, and which enables the meter at the relevant installation to be read by the Meter Reader, and “energisation”, “de-energisation” and “re-energisation” and all grammatical variations thereof shall be interpreted accordingly;

“isolating device” means a device for achieving isolation;

“Market Support Services Code” means the code of practice issued by the Authority that describes the standards of performance in accordance with which a Market Support Services Licensee is required to perform market support services for electricity licensees and contestable consumers;

“Metering Code” means the code of practice issued by the Authority that describes the standards of performance in accordance with which a metering service provider is required to perform metering services;

“prepaid meter” means a meter with the additional capability to allow electricity consumption based on the amount of payment made in advance by the consumer for the electricity to be consumed. For the purpose of this code, prepaid meters refer to those installed at non-contestable consumers’ domestic premises in accordance with this Code.

“Prepaid Metering Scheme” means such scheme as approved by the Authority and under which the electricity supply to a non-contestable consumer’s domestic premises is measured and managed through the use of a prepaid meter.

“regulated supply service” means the supply and sale of electricity and the provision of other associated market support services to non-contestable consumers under section 21 of the Act;

“regulated supply service consumer” means a non-contestable consumer who is supplied and sold electricity and provided other associated market support services under section 21 of the Act;

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“relevant legislation” means the Electricity Act (Cap. 89A) and the Energy Market Authority of Singapore Act 2001, and includes in each case the regulations made thereunder;

“service connection” means two or more insulated electrical conductors which provide, or are intended to provide, an electrical link between the transmission system and a customer’s or Generation Licensee’s installation;

“settlement” means the settling of monies owed to or by a Market Support Services Licensee, the Market Company, a market participant, a market participant retailer, a non-market participant retailer, or a consumer, as the case may be;

“Transmission Code” means the code of practice issued by the Authority that describes the standards of performance which a Transmission Licensee and those Electricity Licensees subject to such code of practice are required to observe with respect to the provision or use of transmission services;

“turn-off” means

- in the case of a consumer’s installation other than an installation of a sub-metered consumer or of any other consumer that receives a supply of electricity via another consumer’s internal electrical system, the opening of an incoming electrical switch located on the consumer’s installation side of service connection or, for a Generation Licensee’s installation, the opening of a circuit breaker located on the Generation Licensee’s installation side of service connection, to prevent flow of electricity to or from the relevant installation; and
- in the case of a sub-metered consumer’s installation or any consumer that receives supply of electricity via another consumer’s internal electrical system, the opening of an incoming electrical switch located at the boundary between the electrical system of the master-metered installation and the installation of a sub-metered consumer to prevent flow of electricity between the relevant installations;

“turn-on” means

- in the case of a consumer’s installation other than an installation of a sub-metered consumer or of any other consumer that receives a supply of electricity via another consumer’s internal electrical system, the closing of an incoming electrical switch located on the consumer’s installation side of service connection or, for a Generation Licensee’s installation, the closing of an circuit breaker switch located on the Generation Licensee’s installation side of service connection, to allow flow of electricity to or from the relevant installation; and
- in the case of a sub-metered consumer’s installation or any consumer that receives supply of electricity via another consumer’s internal electrical system, the closing of an incoming electrical switch located at the boundary between the electrical system of

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the master-metered installation and the installation of a sub-metered consumer to allow flow of electricity between the relevant installations;

“vesting contract” means a contract or other financial arrangement between a Market Support Services Licensee and a Generation Licensee in a form approved by, and designated as a vesting contract by, the Authority.

### **1.4 INTERPRETATION**

- 1.4.1 Unless the context otherwise requires or the term is otherwise defined in this Code, all terms defined in the Act or the market rules shall have the same meaning when used in this Code and words and expressions used in this Code shall be construed as if the Interpretation Act (Cap. 1) applied to them.
- 1.4.2 Headings are for convenience only and shall not affect the interpretation of this Code.
- 1.4.3 A reference in this Code to any statute, subsidiary legislation, proclamation, ordinance, by-law, resolution, rule, order, supplements, gazette notification or directive includes all statutes, subsidiary legislation, proclamations, ordinances, by-laws or resolutions, rules, orders, supplements, gazette notifications or directives varying, consolidating, re-enacting, extending or replacing it.
- 1.4.4 A reference in this Code to a document or provision of a document includes a modification or supplement to, or replacement or novation of, that document or that provision of that document, as well as any exhibit, schedule, appendix or other annexure thereto.
- 1.4.5 A reference in this Code to a body, whether statutory or not, which ceases to exist or whose functions are transferred to another body includes a reference to the body which replaces it or which substantially succeeds to its functions, powers or duties.
- 1.4.6 A reference in this Code to the word “including” or a grammatical variation thereof means “including but not limited to”.
- 1.4.7 Unless the context otherwise requires, a reference in this Code to an account shall include a reference to any settlement or financial accounting balance established in association with, and to information associated with, the contractual relationship that underlies the account.

### **1.5 HIERARCHY OF DOCUMENTS**

- 1.5.1 Nothing in this Code shall be construed as affecting the obligation of a Market Support Services Licensee to comply with the provisions of relevant legislation or of its electricity

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licence and, in the event of an inconsistency between the provisions of relevant legislation or of such electricity licence and the provisions of this Code, the provisions of relevant legislation or of such electricity licence shall prevail to the extent of the inconsistency.

1.5.2 The hierarchy of codes of practice is as follows:

- (a) Transmission Code;
- (b) Regulated Supply Service Code;
- (c) Market Support Services Code;
- (d) Metering Code; and
- (e) Code of Conduct for Retail Electricity Licensees.

1.5.3 Except as may be otherwise provided in a Market Support Services Licensee's electricity licence, in the event of any inconsistency between provisions contained in more than one code of practice, the provision contained in the higher code of practice referred to in section 1.5.2 shall prevail to the extent of the inconsistency.

1.5.4 In the event of an inconsistency between provisions contained in this Code and provisions contained in the market rules, the provision contained in the market rules shall prevail to the extent of the inconsistency.

### **1.6 MODIFICATIONS TO THIS CODE**

1.6.1 In furtherance of the authority contained in section 16(2) of the Act, the process by which this Code may be modified from time to time by the Authority shall be as follows:

- (a) Before making any modification to this Code, the Authority shall give written notice to all Market Support Services Licensees and to other persons likely to be affected by the proposed modification –
  - (i) stating that the Authority proposes to make a modification in the manner specified in the notice;
  - (ii) stating the reasons why the Authority proposes to make the modification, including whether the need for the modification was the subject of a prior representation made by a third party or a Market Support Services Licensee; and
  - (iii) specifying the period from the date of the giving of notice (not being less than 28 days) within which written representations with respect to the proposed modification may be made.

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- (b) If no written representation is received by the Authority within the period specified in the notice referred to in section 1.6.1(a) or if all written representations made in response to such notice are subsequently withdrawn, the Authority may modify this Code as specified in such notice.
- (c) Where the Authority receives any written representation under section 1.6.1(a), the Authority shall, except to the extent that such representation is withdrawn, consider such representation and may –
  - (i) reject the representation;
  - (ii) modify the proposed modification in accordance with the representation;  
or
  - (iii) withdraw the proposed modification,and the Authority shall, where section 1.6.1(c)(i) or 1.6.1(c)(ii) applies but subject to section 1.6.1(d), modify this Code accordingly.
- (d) The Authority shall, before modifying this Code, respond with reasons to all written submissions received in respect of the modification that were not subsequently withdrawn, and advise all Market Support Services Licensees of the outcome of the Authority's deliberations in respect of the modification.
- (e) A modification to this Code shall not come into force until such time as the Authority has complied with section 1.6.1(d), where applicable, and 10 business days, or such longer period of time as may be specified by the Authority, have elapsed since the date on which the Authority published the modification as required by section 16(2) of the Act.

1.6.2 Nothing contained in section 1.6.1 shall prohibit any Market Support Services Licensee or any other party from notifying the Authority of suggested code changes.

### **1.7 COMING INTO FORCE**

1.7.1 This Code shall come into force on the appointed day.

## **2 CONTRACTUAL RELATIONSHIPS WITH OTHER PARTIES**

### **2.1 REGISTRATION WITH THE MARKET COMPANY**

- 2.1.1 A Market Support Services Licensee shall apply to the Market Company for authorisation to participate in the wholesale electricity markets operated by the Market Company and shall, if so directed by the Authority under the Market Support Services Licensee's electricity licence, enter into an agreement with the Market Company respecting the activities of the Market Support Services Licensee in facilitating access to any such wholesale electricity market for the purposes of obtaining supply of electricity for consumers and in providing other services related to access to any such wholesale electricity market.

### **2.2 AGREEMENT WITH THE TRANSMISSION LICENSEE**

- 2.2.1 Unless relieved of the obligation to do so by the Authority, a Market Support Services Licensee shall, if so required by its electricity licence, enter into an agreement with the Transmission Licensee to procure use of system services from the Transmission Licensee for the consumers.
- 2.2.2 Unless relieved of the obligation to do so by the Authority, a Market Support Services Licensee shall, if so required by its electricity licence, offer to provide the following market support services to the Transmission Licensee and shall not provide such services to the Transmission Licensee unless the parties have entered into an agreement for the provision of such services:
- (a) Arranging for the provision of connection services to applicable consumers; and
  - (b) Calculating, billing for and collecting monies owed for connection services.

### **2.3 VESTING CONTRACTS**

- 2.3.1 A Market Support Services Licensee shall, if so required by its electricity licence, enter into vesting contracts with Generation Licensees.

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### **2.4 CONDITIONS OF SERVICE**

2.4.1 A Market Support Services Licensee shall offer to provide regulated supply service to each non-contestable consumer and shall not provide such service except in accordance with its Conditions of Service.

2.4.2 For the purposes of this Code, including the definition of "account", a contractual relationship shall be deemed to exist between a Market Support Services Licensee and any non-contestable consumer that accepts regulated supply service from the Market Support Services Licensee. The terms and conditions of such contractual relationship shall be the terms and conditions of the Market Support Services Licensee's Conditions of Service. The terms and condition of a Market Support Services Licensee's Conditions of Service shall comply and be consistent with the requirements of section 13 of this Code.

### **3 REGULATED SUPPLY SERVICE CONSUMERS**

#### **3.1 PROVISION OF REGULATED SUPPLY SERVICE**

- 3.1.1 A Market Support Services Licensee shall determine the contestability status of a consumer in accordance with the regulations made by the Authority pursuant to section 41(1) of the Act.
- 3.1.2 A Market Support Services Licensee shall provide regulated supply service to any non-contestable consumer.
- 3.1.3 A Market Support Services Licensee shall discontinue the provision of regulated supply service to a consumer if the consumer becomes a contestable consumer.

## **4 CONNECTIONS, DISCONNECTIONS AND RECONNECTIONS**

### **4.1 CONNECTIONS**

4.1.1 A Market Support Services Licensee shall perform the following activities in respect of each non-contestable consumer:

- (a) Confirm the contestability status of the consumer as non-contestable;
- (b) Establish an account for the non-contestable consumer for regulated supply service; and
- (c) Obtain an initial meter read of the meter for the installation of the non-contestable consumer.

The foregoing activities shall, in the case of a consumer to whose installation the supply of electricity had already been turned on prior to the coming into force of this Code, be performed no later than the end of the day on which this Code comes into force and shall, in all other cases, be performed prior to the agreed energisation date of the consumer's installation.

### **4.2 DISCONNECTIONS**

4.2.1 A Market Support Services Licensee shall, in the case of a non-contestable consumer whose installation is connected to the transmission system, direct the Transmission Licensee to discontinue the flow of electricity to such installation, and, in the case of a consumer whose installation receives a supply of electricity via the internal electrical system of another consumer, discontinue the flow of electricity to such installation, and shall in each case perform a meter read on disconnection in respect of the applicable installation, upon request made by or on behalf of the non-contestable consumer:

- (a) for a temporary period of time; or
- (b) to close the account that the non-contestable consumer has with the Market Support Services Licensee.

4.2.2 Where section 4.2.1(b) applies, the Market Support Services Licensee shall:

- (a) Perform a final meter read in respect of the applicable installation; and
- (b) Send a final bill to the person responsible for paying the consumer's account.

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- 4.2.3 A Market Support Services Licensee may, subject to section 4.2.4, in the case of a non-contestable consumer whose installation is connected to the transmission system, direct the Transmission Licensee to discontinue the flow of electricity to such installation, and, in the case of a non-contestable consumer whose installation receives a supply of electricity via the internal electrical system of another consumer, discontinue the flow of electricity to such installation, and shall in each case perform a meter read on disconnection in respect of the applicable installation, for failure of the person to pay his bill.
- 4.2.4 A Market Support Services Licensee shall not, in the case of a non-contestable consumer whose installation is connected to the transmission system, direct the Transmission Licensee to discontinue the flow of electricity to such installation, and, in the case of a non-contestable consumer whose installation receives a supply of electricity via the internal electrical system of another consumer, discontinue the flow of electricity to such installation, under section 4.2.3 except in accordance with section 24(2) of the Act.
- 4.2.5 A Market Support Services Licensee may direct the Transmission Licensee to discontinue the flow of electricity to such installation, and, in the case of a consumer whose installation receives a supply of electricity via the internal electrical system of another consumer, discontinue the supply of electricity to a non-contestable consumer for failure of the person to provide reasonable security, as described in section 11, for the payment of all money that may become due for regulated supply service or where any such security given by that person has become invalid or insufficient and a notice requiring that person to provide security given in accordance with section 23(3) of the Act has been given and has expired.
- 4.2.6 Where the supply of electricity is discontinued under section 4.2.5, if the security required under section 11 is not provided within 30 calendar days from the date on which such supply was discontinued, the Market Support Services Licensee shall close the consumer's account in accordance with the procedures described in section 4.2.2.

### **4.3 RECONNECTIONS**

- 4.3.1 If a Market Support Services Licensee has, in the case of a non-contestable consumer whose installation is connected to the transmission system, directed the Transmission Licensee to discontinue the flow of electricity to such installation, and, in the case of a non-contestable consumer whose installation receives a supply of electricity via the internal electrical system of another consumer, discontinued the flow of electricity to such installation, under section 4.2.3 for reasons other than a default by the consumer and the conditions under which the Market Support Services Licensee made such a direction have changed such that the cause for disconnection is no longer applicable, the Market Support Services Licensee shall direct the Transmission Licensee to reconnect, or as the case may be, reconnect supply to the installation which has been disconnected within a

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reasonable time after a request from the non-contestable consumer to reinstate the connection.

- 4.3.2 Where a Market Support Services Licensee has, in the case of a non-contestable consumer whose installation is connected to the transmission system, directed the Transmission Licensee to discontinue, and, in the case of a non-contestable consumer whose installation receives a supply of electricity via the internal electrical system of another consumer, disconnected the supply of electricity to any installation of a regulated supply service consumer under section 4.2.3 by reason of a default by the consumer, the Market Support Services Licensee shall direct the Transmission Licensee to reconnect, or as the case may be, reconnect the installation if the consumer has:
- (a) made good the default;
  - (b) paid the reasonable expenses of disconnecting and reconnecting the supply;
  - (c) given such security as the Market Support Services Licensee may reasonably require; and
  - (d) given such security as the Transmission Licensee may reasonably require.
- 4.3.3 Where a Market Support Services Licensee has discontinued, or directed the Transmission Licensee to discontinue the flow of electricity to any non-contestable consumer's domestic premises in accordance with sections 4.2.3 and 4.2.4, the Market Support Services Licensee shall, in the case where the consumer is or will be on the Prepaid Metering Scheme, reconnect or direct the Transmission Licensee to reconnect the supply of electricity to the consumer as soon as reasonably practicable.

## **5 METERING SERVICES**

### **5.1 METER READING SERVICES**

5.1.1 A Market Support Services Licensee shall provide meter reading services to a regulated supply service consumer in accordance with section 3 of the Metering Code.

### **5.2 METER DATA MANAGEMENT**

5.2.1 A Market Support Services Licensee shall perform meter data management services for a regulated supply service consumer in accordance with section 4 of the Metering Code.

### **5.3 DISCONTINUANCE OF METERING SERVICES**

5.3.1 A Market Support Services Licensee shall not discontinue the provision of metering services to a regulated supply service consumer except in accordance with the provisions, if any, set forth in the Market Support Services Licensee's electricity licence.

## **6 SUPPLY OF ELECTRICITY**

### **6.1 PROCUREMENT OF ELECTRICITY**

- 6.1.1 A Market Support Services Licensee shall supply all the electricity required by a regulated supply service consumer.
- 6.1.2 A Market Support Services Licensee shall procure the electricity required to fulfil its obligation to supply and sell electricity to a regulated supply service consumer from the wholesale electricity market.
- 6.1.3 Nothing in section 6.1.2 shall be construed as limiting the obligation or the right of a Market Support Services Licensee to enter into
- (a) any vesting contracts, if required or permitted under the Market Support Services Licensee's electricity licence; or
  - (b) bilateral financial contracts or other financial hedging arrangements, if required or permitted under the Market Support Services Licensee's electricity licence.

### **6.2 AMOUNT TO BE PROCURED**

- 6.2.1 The amount of electricity purchased from the wholesale electricity market by a Market Support Services Licensee for purposes of procuring the supply of electricity for regulated supply service consumers shall, after taking in adjustment for losses and unaccounted for energy, equal to the volume of electricity consumed by regulated supply service consumers, in aggregate.
- 6.2.2 A Market Support Services Licensee is not required to procure a supply of electricity to the installation of a regulated supply service consumer if –
- (a) it is prevented from doing so by circumstances not within its control;
  - (b) circumstances exist by reason of which its doing so would or might involve the Market Support Services Licensee or any other electricity licensee being in breach of the Act, its electricity licence or any laws of Singapore, and the Market Support Services Licensee or any other electricity licensee has taken all reasonable steps to prevent the circumstances from occurring and to prevent them from having that effect; or
  - (c) any building on the installation has been erected in contravention of any written law or is in a ruinous or dangerous condition.

## **7 PRICING OF SERVICES**

### **7.1 METHODOLOGY**

- 7.1.1 As set out in the conditions of its Market Support Services Licensee's electricity licence, a Market Support Services Licensee shall set electricity tariffs for electricity supply to be billed to a non-contestable consumer in accordance with the methodology and rates approved by the Authority.
- 7.1.2 A Market Support Services Licensee shall develop the capability to calculate electricity charges determined in accordance with the methodology and rates approved by the Authority referred to in section 7.1.1 and shall, unless relieved of the obligation to do so by the Authority, maintain the capability to calculate charges as described in the remainder of this section 7.
- 7.1.3 A Market Support Services Licensee shall charge a regulated supply service consumer for:
- (a) Energy consumed by the consumer; and
  - (b) Taxes or other government related charges chargeable in respect of the elements referred to in section 7.1.3(a).

### **7.2 ELECTRICITY SUPPLY CHARGES**

- 7.2.1 A Market Support Services Licensee shall charge a regulated supply service consumer with metered installation for electricity supplied by the Market Support Services Licensee in accordance with the following principles:
- (a) A regulated supply service consumer shall pay the electricity tariffs referred to in section 7.1.1 for electricity consumed by the consumer, as measured by the meter or the prepaid meter as the case may be, for the applicable installation for the consumer.
  - (b) The electricity tariffs referred to in section 7.2.1(a) applicable to a given electricity tariff period shall reflect the sum of:
    - (i) the average expected price of electricity to be paid by the Market Support Services Licensee for the electricity expected to be supplied to the consumer during the next electricity tariff period, determined in accordance with section 7.2.1(c);

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- (ii) a price premium or credit to collect for any shortfall or surplus in the Market Support Services Licensee's revenues resulting from the difference between the actual average price paid by the Market Support Services Licensee during the prior electricity tariffs period and the electricity tariffs applicable during that prior electricity tariff period described in section 7.4.
  - (iii) transmission service charges procured from the Transmission Licensee on behalf of the consumer; and
  - (iv) charges for regulated supply services with margin allowed by the Authority.
- (c) The average price of electricity referred to in section 7.2.1(b)(i) may be adjusted by a Market Support Services Licensee in accordance with such methodology as may be prescribed by the Authority. A Market Support Services Licensee may, to this end, submit to the Authority no more frequently than quarterly a submission as to the price adjustments sought for one or more upcoming electricity tariffs periods.

7.2.2 A Market Support Services Licensee shall charge a regulated supply service consumer with unmetered installation for electricity procured by the Market Support Services Licensee at the electricity tariffs referred to in section 7.1.1.

### **7.3 LOSSES AND UNACCOUNTED FOR ENERGY**

7.3.1 For the purposes of section 7.2.1(a), a Market Support Services Licensee shall calculate a factor that adjusts for transmission losses and unaccounted for energy.

7.3.2 The factor referred to in section 7.3.1 shall be calculated in accordance with a methodology and on such schedule as may be determined by the Authority.

7.3.3 The factor referred to in section 7.3.1 may be different for different consumers based on the voltage at which the consumer is connected to the transmission system and on such other factors as may be determined by the Authority.

### **7.4 REGULATED SUPPLY SERVICE SETTLEMENT VARIANCE ACCOUNT**

7.4.1 A Market Support Services Licensee shall establish a regulated supply service settlement variance account for the purpose of recording variances between the amount owed by the Market Support Services Licensee to the Market Company and the Transmission Licensee, and the amount collected from regulated supply service consumers for

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regulated supply service that result from the settlement process described in sections 7.1 to 7.3 above.

- 7.4.2 The regulated service supply settlement variance account referred to in section 7.4.1 shall include inaccuracies inherent in the settlement process, such as an inaccuracy in the calculation of the factor referred to in section 7.3.1 and any differences in usage of electricity by consumers between the time period for which the Market Support Services Licensee is charged by the Market Company and the Transmission Licensee, and the time period for which the Market Support Services Licensee collects from regulated supply service consumers.
- 7.4.3 The manner and timing of disposition of any net balance in the regulated service supply settlement variance account referred to in section 7.4.2 shall be reflected in the electricity tariffs referred to in sections 7.2.1(a) and 7.2.2 in such manner as may be determined by the Authority.

## **8 INVOICING, BILLING AND ISSUING OF RECEIPTS**

### **8.1 CONTENTS OF INVOICE OR RECEIPT**

- 8.1.1 An invoice or receipt to a regulated supply service consumer shall contain separate line items in such form and with such details as directed by the Authority.
- 8.1.2 Subject to section 8.1.1, an invoice to a regulated supply service consumer whose premises is not installed with a prepaid meter shall, at a minimum, list the following line items for those charges that apply to the consumer:
- (a) Electricity tariff;
  - (b) Taxes or other government related charges;
  - (c) Cumulative electricity usage (kWh) during the billing period, estimated where permitted by and in accordance with section 8.2.3 or as measured by the meter that measures the net withdrawal of electricity from the consumer's installation;
  - (d) Payment due date; and
  - (e) A contact telephone number for the Market Support Services Licensee.
- 8.1.3 An invoice issued to a regulated supply service consumer may include charges collected by a Market Support Services Licensee on behalf of a utility in an industry other than the electricity industry.
- 8.1.4 A Market Support Service Licensee shall issue or arrange to issue a receipt to a regulated supply service consumer whose premises is installed with a prepaid meter, whenever the consumer makes payment in advance to the Market Support Services Licensee for electricity to be consumed. Subject to section 8.1.1, the receipt shall, at a minimum, list the following line items:
- (a) The amount tendered by the consumer;
  - (b) The amount paid by the consumer for (partial) settlement of the overdue payment for regulated supply services provided by the Market Support Services Licensee, and other payments that the Market Support Services Licensee is authorised to collect in accordance with section 8.1.3; and
  - (c) The amount of the payment made in advance to the Market Support Services Licensee for electricity to be consumed by the consumer, inclusive of taxes or other government related charges.

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### **8.2 INVOICE SCHEDULE**

- 8.2.1 A Market Support Services Licensee shall invoice regulated supply service consumers in accordance with the schedule delineated in this section 8.2 or in accordance with such alternative schedule as may be approved by the Authority.
- 8.2.2 A Market Support Services Licensee shall issue invoices to regulated supply service consumers whose premises are not installed with a prepaid meter at least once every two months, in accordance with a billing cycle established by the Market Support Services Licensee.
- 8.2.3 Settlement calculations for use in invoices may be based on pre-determined, planned usage estimates for the electricity tariff period in respect of which an electricity tariff referred to in section 7.1.1 is in effect, in addition to such estimates as are allowed as part of the validation and estimation rules contained in the Metering Code. However, invoices must be trued up with settlement calculations based on actual meter reads at least once every two months unless meter readings cannot be obtained due to factors beyond the control of the Market Support Services Licensee.
- 8.2.4 A Market Support Services Licensee shall determine a payment due date for a regulated supply service consumer and shall include the payment due date on the invoice to which the payment due date relates.
- 8.2.5 A Market Support Services Licensee may, subject to the consent of the Authority, where it determines that such action is necessary to mitigate the risk of non-payment by a regulated supply service consumer, require the consumer to make prepayments in respect of amounts that may become owing to it by the consumer.

### **8.3 PROHIBITED MATERIALS**

- 8.3.1 A Market Support Services Licensee shall not, without the prior consent of the Authority, include on an invoice issued to a regulated supply service consumer any reference to any Generation Licensee or Retail Electricity Licensee.

### **8.4 LATE PAYMENT CHARGES**

- 8.4.1 Where a reminder has been sent by a Market Support Services Licensee to a regulated supply services consumer whose premises is not installed with a prepaid meter to make payment in accordance with an invoice sent to him and any amount stated in that invoice remains unpaid by the consumer upon the issue of the next invoice to him, a late payment charge of 1% of that amount remaining unpaid shall be payable by the consumer.

## **9 UNAUTHORISED ENERGY USE AND BILLING ERRORS**

- 9.1 A Market Support Services Licensee shall develop a plan for detecting unauthorised energy use by regulated supply service consumers and shall submit the plan for approval by the Authority. The Market Support Services Licensee shall implement the plan as approved by the Authority.
- 9.2 If a Market Support Services Licensee suspects unauthorised energy use, the Market Support Services Licensee shall furnish the Authority with a written report to that effect, together with any relevant information and evidence in the possession or control of the Market Support Services Licensee and requested by the Authority.
- 9.3 A Market Support Services Licensee shall report to the meter equipment service provider, as defined in the Metering Code, for a meter if it suspects that a fault in that meter is the source of any inaccuracy in any invoices issued by the Market Support Services Licensee under this Code.
- 9.4 A Market Support Services Licensee shall advise any regulated supply service consumer to whom it issues an invoice of the existence and magnitude of any error that has occurred in the calculation of amounts included on such invoice of which it has become aware, regardless of the cause of the error (e.g., theft, faulty meter, faulty meter read, bill calculation error, etc.), after the cause of the error has been established by the Market Support Services Licensee, the Transmission Licensee or the Authority.
- 9.5 In the event of a billing error referred to in section 9.4, the Market Support Services Licensee shall settle the difference with the regulated supply service consumer.
- 9.6 Where a billing error referred to in section 9.4 has resulted in a regulated supply service consumer being overcharged, the Market Support Services Licensee shall credit the next available invoice scheduled to be issued to the consumer with the amount erroneously charged.
- 9.7 Where a billing error referred to in section 9.4 has resulted in a consumer being billed for less than they should have been billed, the Market Support Services Licensee shall debit the next available invoice issued to the consumer for the amount undercharged.
- 9.8 Where no further invoice is scheduled to be issued to a regulated supply service consumer to whom a credit is owed or from whom a debit is owing as a result of a billing error referred to in section 9.4, the Market Support Services Licensee shall issue a separate invoice or amend the final invoice to that consumer reflecting the debit or credit.
- 9.9 A Market Support Services Licensee shall report to the meter equipment service provider, as defined in the Metering Code, for a prepaid meter if it suspects that a fault in that

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prepaid meter is causing errors in the measurement of electricity consumed by the relevant regulated supply service consumer whose premises is installed with a prepaid meter.

- 9.10 A Market Support Services Licensee shall advise any regulated supply service consumer whose premises is installed with a prepaid meter of the existence and magnitude of any error that has occurred in the settlement of charges for electricity consumed by the consumer, regardless of the cause of the error (e.g. theft, faulty prepaid meter, etc.), after the cause of the error has been established by the Market Support Services Licensee, the Transmission Licensee or the Authority.
- 9.11 In the event of a settlement error referred to in section 9.10, the Market Support Services Licensee shall settle the difference with the regulated supply service consumer whose premises is installed with a prepaid meter.

## **10 CONSUMER INFORMATION**

### **10.1 MAINTENANCE OF CONSUMER INFORMATION**

10.1.1 A Market Support Services Licensee shall ensure that the following information where applicable, is maintained in respect of each installation of each regulated supply service consumer and is available for transmittal upon receipt of a valid request referred to in section 10.2.1:

- (a) Consumer's account number with the Market Support Services Licensee;
- (b) Consumer's name and billing address;
- (c) Consumer's address for service;
- (d) The next scheduled invoice date for the consumer;
- (e) Meter identification numbers for each meter associated with each of the installation of the consumer;
- (f) All meter multipliers necessary to calculate settlement amounts on the consumer's invoice;
- (g) Meter read date for each meter read period for each meter referred to in section 10.1.1(e);
- (h) Usage (kWh), included losses and unaccounted for energy, in each meter read period for each meter referred to in section 10.1.1(e);
- (i) All relevant loss adjustment factors applicable to the metered values from each meter referred to in section 10.1.1(e);
- (j) Prepaid meter serial number; and
- (k) The information in the receipts issued by the Market Support Services Licensee under section 8.1.4.

10.1.2 A Market Support Services Licensee shall ensure that the information listed in section 10.1.1 is retained for a period of no less than one year or for whatever period of time data is available if the regulated supply service consumer has been receiving supply for less than one year.

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### 10.2 PROVISION OF CONSUMER INFORMATION

- 10.2.1 A regulated supply service consumer may submit a request for the transmittal of the consumer information referred to in section 10.1.1 in respect of specified installation of the consumer.
- 10.2.2 A Market Support Services Licensee shall not give effect to a request referred to in section 10.2.1 unless a match is obtained for the following information provided by the consumer in the request and the information in the Market Support Services Licensee's records for the consumer:
- (a) Consumer's account number with the Market Support Services Licensee for the installation to which the request relates; and
  - (b) Consumer's name and billing address for the installation to which the request relates.
- 10.2.3 If a match has been obtained for both of the required variables referred to in section 10.2.2, the Market Support Services Licensee shall so notify the requesting consumer within one business day of achieving the match. In this event, the request shall be considered valid and the Market Support Services Licensee shall give effect to it in accordance with sections 10.2.5 to 10.2.8.
- 10.2.4 If a match is not obtained for either or both of the required variables referred to in section 10.2.2, the Market Support Services Licensee shall so notify the requesting consumer and shall indicate which variables did not match. Such notification shall be sent no later than one business day following the date on which the determination was made that a match was not obtained. In this event, the Market Support Services Licensee shall reject the request and shall treat any subsequent submission by the consumer as a new request.
- 10.2.5 A Market Support Services Licensee shall provide a regulated supply service consumer with the consumer information requested in a valid request referred to in section 10.2.1 no later than ten business days after issuance to the consumer of the notification referred to in section 10.2.3.
- 10.2.6 A Market Support Services Licensee shall, subject to section 10.2.7, provide the consumer information referred to in section 10.2.5 in hard copy and in such format as may be established by the Market Support Services Licensee for the purposes of such transmittals.
- 10.2.7 If so requested by the requesting consumer, a Market Support Services Licensee shall make the consumer information referred to in section 10.2.5 available in an electronic file in such format as may be established by the Market Support Services Licensee for the

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purposes of such transmittals. The format shall be one that can be read using standard, commercially-available database software.

10.2.8 A Market Support Services Licensee shall charge a requesting regulated supply service consumer a fee for giving effect to a request for consumer information. The Market Support Services Licensee shall set such a fee in accordance with the methodology and rates approved by the Authority.

### **10.3 CONFIDENTIALITY OF CONSUMER INFORMATION**

10.3.1 Except as otherwise provided in this Code or in its electricity licence, a Market Support Services Licensee shall not disclose consumer information to a third party without the consent of the consumer in writing, except when information has been sufficiently aggregated such that the consumer's consumer information cannot be identified or where consumer information is required to be disclosed:

- (a) for purposes of fulfilling the Market Support Services Licensees obligations under this Code;
- (b) for law enforcement purposes;
- (c) for the purposes of complying with a legal requirement;
- (d) when past due accounts of the consumer have been passed to a debt collection agency; or
- (e) for the purposes of complying with the market rules.

10.3.2 A Market Support Services Licensee shall take all reasonable steps to ensure that a third party that obtains consumer information as the result of the provision of services to the Market Support Services Licensee associated with the provision of regulated supply service uses that information only for purposes of performing such services and does not otherwise use or disclose such information.

## **11 PAYMENT SECURITY**

### **11.1 POWER TO REQUIRE SECURITY**

11.1.1 A Market Support Services Licensee may mitigate the risk of non-payment by regulated supply service consumers by procuring reasonable security for the payment to it of all money which may become due to it for regulated supply service, including by means of:

- (a) Cash deposits; and
- (b) Such other legal forms of security as may be determined appropriate by the Market Support Services Licensee.

The Market Support Services Licensee shall include in its Conditions of Service the types of security that it may require from a regulated supply service consumer.

11.1.2 The maximum amount of security that a Market Support Services Licensee may require from a regulated supply service consumer shall be determined based on the Market Support Services Licensee's estimate of the maximum exposure it faces in respect of the consumer, determined in accordance with this section 11.1.

11.1.3 The maximum exposure in respect of a regulated supply service consumer shall be estimated by a Market Support Services Licensee as follows:

Step 1: Estimate a monthly averaged invoiced amount for the consumer based on historical invoice information, if any, and electricity tariffs then in effect. If there is no historical usage information available for the consumer, the Market Support Services Licensee may estimate a monthly averaged invoiced amount for a consumer based on comparable consumers who have established historical invoice information, and in accordance with a process, if any, specified or approved by the Authority.

Step 2: Multiply the amount determined in Step 1 by 1.5.

The resulting value is the maximum amount of security that a Market Support Services Licensee may require from a regulated supply service consumer.

11.1.4 A Market Support Services Licensee shall be permitted to differentiate between classes of regulated supply service consumers by requiring higher amount of security to be provided under this section 11.1 to the extent that such classes present different credit risks.

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### **11.2 FAILURE TO PROVIDE SECURITY**

- 11.2.1 Where a non-contestable consumer who wishes to receive regulated supply service fails to give the security required under section 11.1, a Market Support Services Licensee may refuse to provide a supply of electricity to that consumer.
- 11.2.2 Where a regulated supply service consumer fails to give the security required under section 11.1 or the security given by the consumer has become invalid or insufficient:
- (a) A Market Support Services Licensee may by notice require that consumer, within 7 days after the service of the notice, to give it reasonable security for the payment of all money which may become due to the Market Support Services Licensee in respect of the provision of regulated supply service; and
  - (b) If the consumer fails to give such security, the Market Support Services Licensee may discontinue the supply of electricity to that consumer for so long as the failure continues.

### **11.3 PAYMENT SECURITY ON BEHALF OF A TRANSMISSION LICENSEE**

- 11.3.1 Where a Market Support Services Licensee bills for and collects charges for transmission service on behalf of the Transmission Licensee, the Market Support Services Licensee shall collect security, if any, from regulated supply service consumers on behalf of the Transmission Licensee for transmission services in accordance with the Transmission Code and the agreement between the Market Support Services Licensee and the Transmission Licensee.
- 11.3.2 If a regulated supply service consumer provides partial payment of monies owed to a Market Support Services Licensee without specifying how the funds should be allocated, the Market Support Services Licensee shall allocate the partial payment among the Market Support Services Licensee and the Transmission Licensee and any other party for whom the Market Support Services Licensee is providing billing and collection services in proportion to the charges being billed on behalf of each party.
- 11.3.3 The payment security a Market Support Services Licensee collects on its behalf does not have to be kept separately from the payment security the Market Support Services Licensee collects on behalf of the Transmission Licensee.

**12 COMPLAINTS HANDLING PROCEDURE**

- 12.1 A Market Support Services Licensee shall develop a Complaints Handling Procedure for resolving complaints from non-contestable consumers relating to the provision of regulated supply service.
- 12.2 A Market Support Services Licensee shall file a copy of its Complaints Handling Procedure with the Authority, make its Complaints Handling Procedure available for public inspection and provide a copy of its Complaints Handling Procedure to any person who requests it.

### **13 CONDITIONS OF SERVICE**

- 13.1 A Market Support Services Licensee shall develop Conditions of Service for each category of non-contestable consumers, as applicable, that describes the terms and conditions under which regulated supply service will be provided to non-contestable consumers.
- 13.2 A Market Support Services Licensee shall file a copy of its Conditions of Service with the Authority, make its Conditions of Service available for public inspection and provide a copy of its Conditions of Service to any person who requests it.
- 13.3 The terms and conditions of a Market Support Services Licensee's Conditions of Service shall comply and be consistent with this Code, and such other requirements as notified by the Authority to the Market Support Services Licensee.

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