

MARKET PROCEDURE: NOTICES AND COMMUNICATIONS

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VERSION RELEASE HISTORY

Version	Effective Date	Summary of Changes
1.0	21 September 2006	Market Procedure for Notices and Communications
2.0	20 January 2009	Amendments to Market Procedure resulting from PC_2008_16
3.0	8 November 2010	Amendments to Market Procedure resulting from PC_2010_02
4.0	30 November 2015	Changes resulting from the transfer of functions from the IMO to AEMO
5.0	7 December 2015	Update contact details due to the transfer of function from the IMO to AEMO
<u>6.0</u>	<u>1 October 2017</u>	<u>Update as per Procedure Change Proposal AEPC 2017 11</u>

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1 PROCEDURE OVERVIEW

1.1 Relationship with the ~~Market~~ WEM Rules

- 1.1.1 ~~————~~This Market Procedure: Notices and Communications ~~Procedure~~ (**Procedure**) ~~has been~~is developed in accordance with ~~—, and should be read in conjunction with—~~ clause 1.6.42 of the Wholesale Electricity Market (~~WEM~~)Rules (~~Market~~WEM Rules).
- 1.1.2 ~~————~~Reference to particular ~~Market Rules~~WEM Rules within the Procedure in bold and square brackets [~~MR- Clause~~ **XX**] are current as of 1 October ~~2010~~2017. These references are included for convenience only, and are not part of this Procedure.

~~1.2 Purpose~~

1.2 Interpretation

1.2.1 In this Procedure:

- (a) terms that are capitalised but not defined in this Procedure have the meaning given in the WEM Rules;
- (b) to the extent that this Procedure is inconsistent with the WEM Rules, the WEM Rules prevail to the extent of the inconsistency;
- (c) a reference to the WEM Rules or Market Procedures includes any associated forms required or contemplated by the WEM Rules or Market Procedures; and
- (d) words expressed in the singular include the plural or vice versa.

Table 1: Defined terms

<u>Term</u>	<u>Definition</u>
Business Hours	8.00 AM to 5.00 PM (Western Standard Time) from Monday to Friday (excluding Western Australian public holidays and <u>—</u> in relation to clauses 9.16.1(b), 9.16.2(e) and 9.16.4(d), <u>—</u> excluding Western Australian and New South Wales public holidays).

1.3 Purpose and application of this Procedure

~~1.3 Application~~

- 1.3.1 The purpose of the Procedure is to:
- (a) describe the methods by which notices and communications are to be provided to or by ~~the IMO or~~ AEMO; and
 - (b) outline when ~~the timing of~~ such notices will be considered to have been properly provided~~duly given~~.
- 1.3.2 This Procedure applies to notices and communications:
- (a) required under the ~~Market Rules~~WEM Rules;
 - (b) contemplated by the ~~Market Rules~~WEM Rules; ~~and/or~~
 - (c) relating to the ~~Market Rules~~WEM Rules.

1.3.3 For the avoidance of doubt, this Procedure does not apply to:

- (a) information or documents required to be published or released by ~~the IMO or~~ AEMO on the Market Web Site, in accordance with clause 1.7.1 of the ~~Market Rules~~ WEM Rules; or
- (b) information or documents required to be distributed via another method specified in the ~~Market Rules~~ WEM Rules or a Market Procedure.

~~1.4~~ **Associated Market Procedures**

~~1.4.1 There are no other Market Procedures associated with this Procedure.~~

~~1.5~~ **Interpretation**

~~1.5.1 In this Procedure the conventions specified in clauses 1.3- 1.5 of the Market Rules apply. The following additional clarification is noted:~~

- ~~(a) the term “Business Hours” means 8.00 AM to 5.00 PM (Western Standard Time) from Monday to Friday (excluding Western Australian public holidays and in relation to clauses 9.16.1(b), 9.16.2(e) and 9.16.4(d) excluding Western Australian and New South Wales public holidays).~~

2 PROCEDURE STEPS

2.1 Provision of Notice

2.1.1 Unless otherwise provided in the ~~Market Rules~~ WEM Rules or Market Procedures, notices and communications may be properly provided using any one or more of the following methods:

- (a) Courier or other form of personal delivery, to the recipient’s notified place of business.
- (b) By prepaid Australia ~~p~~Post, express post, registered post, or air mail (if outside Australia), to the recipient’s notified postal address.
- (c) By facsimile, to the recipient’s notified facsimile number.
- (d) By electronic mail, to the recipient’s notified electronic communication address (for Market Participants this is the Wholesale Electricity Market Systems main contact).
- (e) By voice communication ~~by the IMO or to or by~~ AEMO, provided the relevant party confirms the communication in writing by any manner set out in steps ~~2.1.12.1.1(a) a -to (d)d~~.

2.2 Timing of Notice and Communications

2.2.1 Unless otherwise provided in the ~~Market Rules~~ WEM Rules and Market Procedures, a notice or communication will be considered to be properly ~~is deemed to be~~ provided ~~on the following basis:~~

- (a) ~~W~~where given by Australia ~~p~~Post or air mail:
 - (i) within Australia, on the third Business Day after the day on which it is mailed; or
 - (ii) outside Australia, on the tenth Business Day after the day on which it is mailed.
- (b) subject to step 2.2.2, where given by facsimile, on the date and at the time of successful transmission as indicated on the sender’s facsimile transmission report;
 - ~~(i) during Business Hours, on the date and at the time of successful transmission as indicated on the sender’s facsimile transmission report;~~

- ~~(ii) outside Business Hours and the addressee is obliged to monitor the receipt by facsimile outside of Business Hours, on the date and at the time of transmission as indicated on the sender's facsimile transmission report;~~
- ~~(iii) outside Business Hours and the addressee is not obliged to monitor the receipt by facsimile outside of Business Hours, at 9.00 am on the first Business Day following transmission.~~
- (c) subject to step 2.2.2, Where given by electronic mail:
 - ~~(i) during Business Hours, on the date and at the time when the sender receives an automated message confirming delivery notification is recorded by the sender's electronic communication system as having been first received at the electronic mail destination. To ensure valid notification, the sender should request a return receipt, request confirmation from the recipient or follow up the email with alternate confirmation; or~~
 - ~~(ii) four hours after the time the notice was sent (as recorded on the device from which the sender sent the notice) unless the sender receives an automated message advising that the email has not been delivered,~~

~~whichever happens first; outside Business Hours and the addressee is obliged to monitor the receipt by electronic mail outside of Business Hours, on the date and at the time when notification is recorded by the sender's electronic communication system as having been first received at the electronic mail destination;~~

 - ~~(ii) outside Business Hours and the addressee is not obliged to monitor the receipt by electronic mail outside of Business Hours, at 9.00 AM on the following Business Day.~~
- ~~(d) Where given by voice communication to or by the IMO or to AEMO, :~~
- ~~(e)(d) on the date and at the time of communication; and-~~
- ~~(f) in the case of any other case method specified in step 2.1.1, :~~
- ~~(e) when the person actually receives the notice or communication.~~

2.2.2 For the purposes of steps 2.2.1(b) and 2.2.1(c), if:

- ~~(a) a notice given by facsimile or electronic mail is deemed to be provided on a date and at a time that is not within Business Hours; and~~
 - ~~(b) the addressee is not required to monitor the receipt of notices sent by facsimile or electronic mail (as applicable) outside Business Hours,~~
- ~~then the notice is deemed to be provided:~~
- ~~(c) for a notice that (under step 2.2.1(b) and 2.2.1(c) as applicable) would otherwise be deemed to be provided between 5:00 PM and 11.59 PM on a Business Day – at 8:00 AM on the next Business Day; and~~
 - ~~(d) for a notice that (under step 2.2.1(b) and 2.2.1(c) as applicable) would otherwise be deemed to be provided between 12.00 AM and 8:00 AM on a Business Day – at 8:00 AM on that Business Day; and~~
 - ~~(e) for a notice that (under step 2.2.1(b) and 2.2.1(c) as applicable) would otherwise be deemed to be provided on a day that is not a Business Day – at 8:00 AM on the next Business Day.~~

2.2.3 If:

- ~~(a) a notice is given by electronic mail under the WEM Rules; and~~
- ~~(b) either of the following applies:~~

- (i) the notice requires, or is likely to require, the recipient to take action (including acknowledging receipt of the notice) within a limited period of time after receiving the notice; or
- (ii) having regard to the subject matter of the notice, a reasonable and prudent sender would use reasonable endeavours to ensure that the notice is received by the intended recipient,

then the sender must use reasonable endeavours to ensure the timely delivery of the notice.

2.2.4 The “reasonable endeavours” in step 2.2.3 may require the sender to do one or more of the following:

- (a) request a delivery receipt for the notice;
- (b) include a request for confirmation of receipt in the notice; or
- (c) request confirmation of receipt using a different method of communication.

2.3 Contact Details

2.3.1 The contact details for the IMO are:

- (a) Mailing address: PO Box 7096
CLOISTERS SQUARE
PERTH WA 6850
- (b) Courier / Personal Delivery: Level 17, Governor Stirling Tower
St Georges Terrace
PERTH WA 6000
- (c) Telephone Number: + 61 (0) 8 9254 4300
- (d) Facsimile: + 61 (0) 8 9254 4399
- (e) Email (as relevant):
 - (i) For general enquiries: wa@aemo.com.au

2.3.2.3.1 The contact details for AEMO are:

- (a) Mailing address: PO Box 7096
CLOISTERS SQUARE
PERTH WA 6850
- (b) Courier / Personal Delivery: Level 17~~45~~, Governor Stirling Tower~~152~~
St Georges Terrace
PERTH WA 6000
- (e)(b) Telephone Number: + 61 (0) 8 9469
98009254 4300
- (d)(c) Facsimile: + 61 (0) 8
9469 98019254 4399

~~(e)(d)~~ Email (as relevant): _____

- (i) For general enquiries: wa@aemo.com.au
- (ii) For Rule/Procedure Change enquiries: ~~wa-marketdevelopment~~@aemo.com.au
- (iii) For System Capacity enquiries: wa.capacity@aemo.com.au
- ~~(iv)~~ For Market Operation enquiries: wa.operations@aemo.com.au
- ~~(iv)~~ For System Management enquiries: wa.sm.operations@aemo.com.au
- (v)

~~2.3.32.3.2~~ The contact details for Rule Participants are as advised on the Rule Participant's Rule Participant registration application, unless otherwise advised.

~~2.3.42.3.3~~ The contact details for other recipients are as advised by the recipient.