

# WA PROCEDURE CHANGE COMMITTEE TERMS OF REFERENCE

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**Disclaimer:**

This document sets out the objectives, functions, structure, governance arrangements, and administrative arrangements for the Procedure Change Committee. This document is intended to be consistent with the requirements of the Energy Coordination Act 1994 (the “Act”) and Chapter 9 of the Retail Market Procedures (WA) (the “Procedures”). The Act and the Procedures will prevail in the event of any inconsistency with this document.

**VERSION RELEASE HISTORY**

Version	Effective Date	Summary of Changes
1.0	31/10/2016	First Issue
2.0	30/04/2018	IN002/17W - Changes made to align with chapter 9 RMP changes

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## 1. OBJECTIVES

Under clause 381 of the Retail Market Procedures (WA) (the “Procedures”), AEMO must establish a Procedure Change Committee (PCC).

The Procedure Change Committee is a committee for providing effective and efficient consultation with stakeholders on development of the WA gas retail market.

The objectives of the Procedure Change Committee are:

- (a) to ensure that the WA retail gas market operates and is governed in a manner that is:
  - (i) open and competitive;
  - (ii) efficient; and
  - (iii) fair to Participants and their customers;
- (b) to ensure compliance with all applicable laws; and
- (c) to ensure effective consultation between AEMO and stakeholders for developing changes to the AEMO retail market scheme (the “Scheme”) and to the systems and arrangements governing the WA gas retail market.

## 2. ROLE

The role of the Procedure Change Committee is to:

- assist AEMO in making determinations on the matters under its consideration, and wherever possible, to achieve consensus;
- present any dissenting views concerning proposed changes to the Scheme in any impact and implementation reports (“IIR”), if consensus cannot be achieved; and
- provided an effective venue for stakeholders to raise and address issues relating to the operation or functionality of the WA gas retail market.

The Procedure Change Committee will conduct the Procedure change process in accordance with chapter 9 of the Procedures

## 3. FUNCTIONS

The functions of the Procedure Change Committee include:

- consulting with, and advising AEMO in relation to development of the WA gas retail market;
- providing a venue for consultation and involvement of interested parties to consider issues relating to the operation and design of the WA gas retail market;
- providing feedback to AEMO on proposals made in relation to the WA gas retail market;
- making recommendations to AEMO for changes to the design of the Scheme;
- advising AEMO on development of the WA gas retail market, including the related systems, processes, and other arrangements;
- advising AEMO of issues in relation to the operation of the WA gas retail market; and
- formally recording the positions and views of each Participant organisation and other interested stakeholders on matters relating to the WA gas retail market.

The Procedure Change Committee will develop and consult on any proposals for changes to:

- the Scheme, which includes:
  - the WA Gas Retail Market Agreement;
  - the Procedures;
  - the AEMO Specification Pack;
  - the FRC Hub Operational Terms and Conditions; and

- the Gas Retail Market Systems (“GRMS”); and
- the Information Pack.

## 4. PARTICIPATION

The Procedure Change Committee is open to all interested organisations and stakeholders.

In circumstances where an outcome may need to be sought at a meeting, any recommendations will be based only on the views of those stakeholders present at that meeting or as notified prior to the meeting. It is the responsibility of stakeholders to keep informed of current issues to be able to provide their views and information. The meeting chairperson will ensure where outcomes are sought at a meeting, it will not be reworked at future meetings for stakeholders that did not provide feedback previously.

Individuals<sup>1</sup> attending the forum are expected to have sufficient expertise and authority to consider matters on behalf of the organisation(s) that they represent, and provide the views of those organisations for the public record.

Procedure Change Committee attendees are entitled to represent the view of any business they represent. The forums will record the positions and views of interested organisations and stakeholders. Where positions and views vary, minority views are to be noted.

If circumstances require feedback or information from the Procedure Change Committee at short notice, consideration may be given to seeking feedback outside a meeting via an e-mail or web-based mechanism.

## 5. GOVERNANCE AND ADMINISTRATION

### 5.1. Convening of meetings

Procedure Change Committee meetings will generally be held on the last Wednesday of every second month, commencing at 10:00 AM (WST) at a location determined by AEMO.

Procedure Change Committee meetings may be cancelled if there is not sufficient business to warrant a meeting and additional meetings may be convened if necessary. Any interested stakeholder may at any time request AEMO to arrange for a Procedure Change Committee meeting.

Procedure Change Committee meetings will be convened by the chairperson at such times as the chairperson determines are appropriate, taking into account any requests for meetings, the availability of stakeholders and the matters under discussion.

The chairperson will formally recognise attendees at the commencement of each meeting and is responsible for the conduct of the meeting. During the meetings, the chairperson will take into account:

- the need to provide adequate consultation with all affected parties and stakeholders;
- the requirements to satisfy the regulatory process for approval of Scheme changes; and
- the requirements to make and test changes to the GRMS and to Participants' systems.

AEMO will provide interested stakeholders with a draft agenda 10 business days before the meeting.

The relevant meeting papers and final agenda that includes venue details, teleconference telephone number and password details for the meeting must be provided to relevant stakeholders by the secretary at least 5 business days prior to the meeting.

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<sup>1</sup> In relation to the approving body, nothing said, or done, or omitted to be said or done, by the approving body, binds the approving body's discretion in approving or not approving an endorsed procedure change submitted to the approving body for approval, or otherwise makes the approving body or the State liable in any way to any person including for negligence.

## 5.2. Notice of, and papers for meetings

Before 1 December of each year, AEMO will publish the meeting dates for the following year, having first consulted the Procedure Change Committee. A schedule of Procedure Change Committee meetings is posted on the AEMO website ([www.aemo.com.au](http://www.aemo.com.au)).

Planned meeting dates of the Procedure Change Committee must be provided to the Procedure Change Committee by the secretary in advance and amended as needed. Unless otherwise agreed by the chairperson:

- the secretary must provide notification of a meeting in the form of a draft agenda which must be no later than 10 business days before the meeting; and
- the agenda and all papers on business identified for the meeting must be sent by e-mail at least 5 business days prior to the meeting, to all parties who have registered their interest.

Meetings may only be cancelled or postponed by agreement of the chairperson.

## 5.3. Attendance at meetings

To avoid duplication of discussion and to ensure efficient and effective operation of the Procedure Change Committee, the attendees must take all reasonable steps to ensure that they provide continuity (the same individual) of representation on the Procedure Change Committee.

## 5.4. Persons who may request consideration of matters

Any person may request that the Procedure Change Committee consider a matter.

The chairperson will determine which items of business are considered at a particular Procedure Change Committee meeting, having regard to:

- the need to provide for appropriate consultation on matters;
- the orderly conduct of business at meetings;
- the urgency of the matter under consideration; and
- the achievement of the Procedure Change Committee objectives.

## 5.5. Form of request

Unless otherwise agreed by the chairperson, a person who wishes a matter to be considered by the Procedure Change Committee must provide a written proposal to the secretary using the WA Gas Market Issue (“GMI”) template published on the AEMO website ([www.aemo.com.au](http://www.aemo.com.au)). The proposal must outline the issue and the reason for the matter to be considered by the Procedure Change Committee and are to be e-mailed to the committee e-mail address [pccwa@aemo.com.au](mailto:pccwa@aemo.com.au).

Where the matter contemplates a Procedure change, the person must use the WA Proposed Procedure Change (“PPC”) template published on the AEMO website ([www.aemo.com.au](http://www.aemo.com.au)) and are to be e-mailed to the committee e-mail address [pccwa@aemo.com.au](mailto:pccwa@aemo.com.au).

Written proposals must be provided at least 7 business days prior to the meeting at which it is to be considered, unless otherwise agreed by chairperson.

Items of business may be considered at a meeting without prior notice if agreed by the chairperson. In so doing, the chairperson will take into account the need to provide adequate consultation with interested stakeholders and the urgency of the matter that has been raised.

## 5.6. Minutes and proceeding of meetings

The secretary must take minutes of each Procedure Change Committee meeting.

The secretary must e-mail a copy of the draft minutes of a Procedure Change Committee meeting to each party who has registered their interest within 5 business days after that meeting.

The minutes of a Procedure Change Committee meeting must record, but are not limited to:

- those who attended the meeting, either in person or by teleconference;
- the business considered;
- discussion of business, including proposals, assessments, recommendations, and the supporting and contrary arguments for the comments; and
- a record of the views of parties on matters discussed in respect of amendments to the Scheme and any related business or arrangements.

The secretary must ensure that the final minutes, papers and proceedings of meetings:

- accurately record the views of persons at the meetings; and
- are e-mailed to parties who have registered interest.

The secretary must maintain all meeting proceedings in a secure record management system for a period of at least seven years.

## 6. PROCESSES

### 6.1. Administration

AEMO will provide a chairperson to the Procedure Change Committee.

AEMO provides secretariat services to the Procedure Change Committee, including:

- minuting Procedure Change Committee meetings;
- preparing and distributing the agenda and papers for Procedure Change Committee meetings;
- updating the Issues Register and Procedure Change Register for distribution at the next Procedure Change Committee meeting;
- following up on any actions arising from Procedure Change Committee meetings; and
- preparing an update on Procedure Change Committee activity for AEMO.

AEMO also performs the following duties:

- creating and maintaining an e-mail distribution list for the Procedure Change Committee; and
- ensuring that the Procedure Change Committee minutes are available and accessible for 7 years after the date of the meeting.

### 6.2. Templates and Registers

AEMO maintains the following Procedure Change Committee templates, all of which are available on the AEMO website ([www.aemo.com.au](http://www.aemo.com.au)):

- the GMI template;
- the PPC template; and
- the IIR template.

AEMO will create and maintain an Issue/Change Register.

### **6.3. Meetings**

A schedule of Procedure Change Committee meeting dates is published annually on the AEMO website ([www.aemo.com.au](http://www.aemo.com.au)).

The Procedure Change Committee meets as and when required by the Procedures, and to meet the needs of the market. Meeting dates are decided on by AEMO in consultation with the Procedure Change Committee and are to be scheduled at least 10 business days in advance.

### **6.4. Prior to meetings**

As a minimum, AEMO will provide the following to Procedure Change Committee members and observers, at least 5 business days prior to each meeting:

- agenda for the meeting;
- minutes from the previous meeting and any comments received;
- an update of the Retail Market Issues / Change Register; and
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- relevant papers and information for discussion.

AEMO will ensure that teleconferencing facilities are available in case members wish to dial into the meeting instead of attending in person, and will book meeting rooms and arrange for any catering, if required.

### **6.5. After meetings**

AEMO is to minute Procedure Change Committee meetings. Draft minutes are to be circulated to the Procedure Change Committee within 5 business days.

### **6.6. Issues for consideration**

The Procedures set out a formal process for the consideration of any proposed Procedure changes.

Participants and interested parties may want to raise issues for consideration by the Procedure Change Committee prior to formally developing and pursuing a proposed Procedure change. Therefore, in addition to the formal Procedure change process, AEMO runs a process where participants and interested parties may raise “issues” for consideration by the Procedure Change Committee. Issues are logged on the Issue Register and the Procedure Change Committee will coordinate development and analysis of the issue. If the Procedure Change Committee decides that a proposed Procedure change is required to address the issue, AEMO will raise a Procedure change request on behalf of the Procedure Change Committee.

Issues being considered by the Procedure Change Committee will be tracked through the Retail Market Issues / Change Register.

## **7. APPOINTMENT OF WORKING GROUPS**

The Procedure Change Committee may establish one or more working groups to assist it in considering a matter brought before it.

AEMO will facilitate operation of such working groups and support the working groups with subject matter experts as appropriate.

Without limiting the participation of any party, participation in the working groups will be based on the Terms of Reference for that working group, if applicable.



## **8. EXPENSES FOR COMMITTEE MEETING ATTENDANCE OR ACTIVITIES**

Any expenses incurred as a result of attending meetings or activities associated with the Procedure Change Committee are at the expense of the representative's employer.