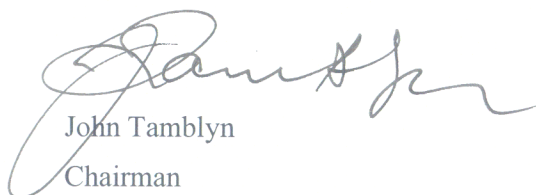


National Electricity Amendment (WACC Reviews: Extension of Time) Rule 2009 No. 6

under the National Electricity Law as applied by:

- (a) the National Electricity (South Australia) Act 1996;
- (b) the Electricity (National Scheme) Act 1997 of the Australian Capital Territory;
- (c) the National Electricity (New South Wales) Act 1997 of New South Wales;
- (d) the Electricity - National Scheme (Queensland) Act 1997 of Queensland;
- (e) the Electricity - National Scheme (Tasmania) Act 1999 of Tasmania;
- (f) the National Electricity (Victoria) Act 2005 of Victoria; and
- (g) the Australian Energy Market Act 2004 of the Commonwealth.

The Australian Energy Market Commission makes the following Rule under the National Electricity Law.



John Tamblyn
Chairman

Australian Energy Market Commission

National Electricity Amendment (WACC Reviews: Extension of Time) Rule 2009 No. 6

1. Title of Rule

This Rule is the *National Electricity Amendment (WACC Reviews: Extension of Time) Rule 2009 No. 6*.

2. Commencement

This Rule commences operation on 31 March 2009.

3. Amendment of the National Electricity Rules

The National Electricity Rules are amended as set out in Schedule 1.

Schedule 1 Amendment of National Electricity Rules

(Clause 3)

[1] Clause 6.5.4 Review of rate of return

Omit clause 6.5.4(b) and substitute:

- (b) The first review is to be concluded by 1 May 2009 and further reviews are to follow at intervals not exceeding, in any case, five years with the first interval starting from 31 March 2009.

[2] Clause 6A.6.2 Return on capital

Omit clause 6A.6.2(g) and substitute:

- (g) The *AER* must conclude the first review by 1 May 2009 and conclude subsequent reviews at intervals of five years with the first interval starting from 31 March 2009.

[3] Clause 6A.6.4 Estimated cost of corporate income tax

Omit clause 6A.6.4(c) and substitute:

- (c) The *AER* must conclude the first review by 1 May 2009 and conclude subsequent reviews at intervals of five years with the first interval starting from 31 March 2009.

[4] Rule 11.26 Rules consequential on the making of the National Electricity Amendment (WACC Reviews: Extension of Time) Rule 2009

After rule 11.25, insert:

Part V WACC Reviews: Extension of Time

11.26 Rule consequential on the making of the National Electricity Amendment (WACC Reviews: Extension of Time) Rule 2009

11.26.1 Definitions

In this rule 11.26:

regulatory control period 2010-2015 means the *regulatory control period* commencing on 1 July 2010 in relation to *Distribution Network Service Providers* in South Australia and Queensland.

11.26.2 Extension of time to submit a regulatory proposal for the regulatory control period 2010-2015

- (a) This rule 11.26 applies to *Distribution Network Service Providers* in South Australia and Queensland.
- (b) Despite clause 6.8.2(b)(1), where a relevant *Distribution Network Service Provider* is required to submit a *regulatory proposal* for the *regulatory control period* 2010-2015 to the AER under clause 6.8.2(a), that *regulatory proposal* must be submitted by 1 July 2009.

END OF RULE AS MADE
