

WA PROCEDURE CHANGE COMMITTEE ~~CHARTER~~ TERMS OF REFERENCE

PREPARED BY: AEMO / Markets / Market Management

VERSION: ~~1.2~~ 2.0

EFFECTIVE DATE: ~~31-October-2016~~ TBA

STATUS: FINAL

**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	TBA	IN002/17W - Changes made to align with chapter 9 RMP changes

CONTENTS

1. OBJECTIVES	5
2. ROLE	5
3. FUNCTIONS	5
4. PARTICIPATION	6
5. GOVERNANCE AND ADMINISTRATION	9
5.1. Convening of meetings	9
5.2. Notice of, and Papers for meetings	10
5.3. Attendance at meetings	10
5.4. Persons who may request consideration of matters	11
5.5. Form of request	11
5.6. Minutes and proceeding of meetings	13
6. PROCESSES	13
6.1. Administration	13
6.2. Templates and Registers	13
6.3. Meetings	15
6.4. Prior to meetings	15
6.5. After meetings	15
6.6. Issues for consideration	15
7. APPOINTMENT OF WORKING GROUPS	16
8. EXPENSES FOR COMMITTEE MEETING ATTENDANCE OR ACTIVITIES	17
1. PROCEDURE CHANGE COMMITTEE OBJECTIVES	4
2. PROCEDURE CHANGE COMMITTEE FUNCTIONS	4
3. PROCEDURE CHANGE COMMITTEE STRUCTURE	5
3.1. Composition	5
3.2. Quorum	5
3.3. Observers	5
3.4. Nominations for Procedure Change Committee Membership	6
4. GOVERNANCE AND ADMINISTRATION	7
4.1. Convening of Meetings	7
4.2. Notice of, and Papers for, Meetings	7
4.3. Attendance at Procedure Change Committee Meetings	7
4.4. Persons who may Request Procedure Change Committee Consideration of Matters	8
4.5. Form of Request	8
4.6. Attendance at, and Participation in, Meetings	8
4.7. Minutes and Proceeding of Meetings	9
5. PROCEDURE CHANGE COMMITTEE PROCESSES	9
5.1. Administration	9
5.2. Procedure Change Committee Templates and Registers	9

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5.3. Procedure Change Committee Meetings	10
5.4. Prior to Meetings	10
5.5. After Meetings	10
5.6. Issues for Consideration by the Procedure Change Committee	10
5.7. Notification of Proposed Procedure Changes or Issues to Pipeline Operators and Prescribed Persons	14
6. APPOINTMENT OF WORKING GROUPS OF THE PROCEDURE CHANGE COMMITTEE	14
7. EXPENSES FOR COMMITTEE MEETING ATTENDANCE OR ACTIVITIES	14

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1. PROCEDURE CHANGE COMMITTEE OBJECTIVES

Under clause 38¹³ of the Retail Market Procedures (WA) (the "Procedures"), AEMO must establish a Procedure Change Committee (PCC).

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

~~Clause 386 of the Procedures describes t~~he objectives of the Procedure Change Committee ~~as 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

~~(b) — 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~~ and

~~(c) — to ensure consultation with all Participants, Pipeline Operators, Prescribed Persons and interested persons as is reasonably required to meet the objectives set out in clause 386 of the Procedures.~~

~~(c) Whilst not explicitly mentioned in the Procedures, another objective of the Procedure Change Committee is to provide 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. Such consultation must be in accordance with the Procedures and this Charter.~~

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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 ~~the chapter 9 of the WA Gas Retail Market Procedure~~ Change Guidelines (the "Guidelines"), which are available on the AEMO website (www.aemo.com.au). ~~The processes for managing Procedure Change Committee meetings are detailed in the Guidelines.~~

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2.3. PROCEDURE CHANGE COMMITTEE FUNCTIONS

The functions of the Procedure Change Committee include:

- consulting with, and advising AEMO on making submissions 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 ~~the~~ AEMO on development of the WA gas retail market, including the related systems, processes, and other arrangements;

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- 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.

3. PROCEDURE CHANGE COMMITTEE STRUCTURE

3.1.4. COMPOSITION 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 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.

~~The Procedure Change Committee has been established as a standing committee to facilitate consultation on the operation and development of the WA gas retail market. The Procedure Change Committee is intended to provide continuity of stakeholder representation in development of the market and system processes.~~

The composition of the Procedure Change Committee is described in clause 384 of the Procedures as:

- (a) ~~one member representing AEMO, who is the chairperson of the Procedure Change Committee who is suitably qualified and trained to chair the committee, but may not be a subject matter expert;~~
- (b) ~~at least one member representing the interests of the network operators;~~
- (c) ~~one member representing the interests of the User that has a market share of at least 50%; and~~
- (d) ~~at least one member representing the interests of all Users other than those referred to in (c).~~

~~AEMO may have other staff members that are subject matter experts attend Procedure Change Committee meetings to provide input as observers.~~

¹ ~~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.~~

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AEMO will provide secretariat services for the Procedure Change Committee, including administrative and analytical support.

The tenure of Procedure Change Committee members is described in clause 385 of the Procedures. Essentially a Procedure Change Committee member will continue in that capacity until that individual resigns, or falls within the conditions described in clause 385(3) or 385(4) of the Procedures.

The current members of the Procedure Change Committee are listed on the AEMO website located at www.aemo.com.au.

Under clause 383(2) of the Procedures, AEMO shall appoint any replacement for members that leave the Procedure Change Committee as soon as practicable, and in any event, within 3 months of the member's retirement.

With the Chairperson's approval, Procedure Change Committee members may appoint an alternate. Where appointed, an alternate may attend any Procedure Change Committee meeting as an observer. In the event that a Procedure Change Committee member cannot attend a Procedure Change Committee meeting, the alternate may attend in their place as if they were the Procedure Change Committee member with full rights and obligations of membership, including for the purposes of meeting the Procedure Change Committee's quorum requirements.

3.2. — Quorum

A quorum for a Procedure Change Committee meeting is described in clause 387 of the Procedures as being at least 4 members, with at least one member from (a) and at least one member from (d) above.

3.3. — Observers

With the Chairperson's approval, AEMO, Users, and Network Operators may have additional people attend Procedure Change Committee meetings as observers. This is intended to allow market participants to have subject matter experts attend and provide guidance to AEMO and the Procedure Change Committee.

The Economic Regulation Authority (the "Authority") is to receive Procedure Change Committee papers and may attend Procedure Change Committee meetings as an observer, consistent with clause 384(2) of the Procedures.

The following parties may also attend Procedure Change Committee meetings as an observer, when invited by AEMO, although such provision is not stipulated in the Procedures:

- — Users that do not have a representative on the Procedure Change Committee;
- — Pipeline Operators; and
- — Prescribed Persons, including self-contracting Users, swing service providers, and shippers.

AEMO may also ask a representative from relevant information technology companies (such as the service provider under AEMO's Systems Operations Services Agreement) to attend as an observer to provide guidance and expertise for IT-related issues.

A secretary to the Procedure Change Committee, nominated by AEMO, may also attend Procedure Change Committee meetings.

Subject to approval of the Chairperson, there is no restriction on the number of observers that any party can send to a Procedure Change Committee meeting.

3.4. — Nominations for Procedure Change Committee Membership

Where an individual represents a group of interested stakeholders, the:

- — Procedure Change Committee member must be nominated by a responsible person from the organisation(s) they represent. The nomination notice is to be sent to the chairperson or secretary, in

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writing or by e-mail, at least 5 business days prior to a Procedure Change Committee meeting, unless otherwise agreed by the chairperson.

- Nominated Procedure Change Committee members should have sufficient expertise and authority to consider matters on behalf of the organisation(s) that they represent, and be able to provide the formal views of those organisations for the Procedure Change Committee minutes.

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4.5. GOVERNANCE AND ADMINISTRATION

4.4.5.1. Convening of Meetings

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~~The particulars about convening a Procedure Change Committee meeting are described in clause 388 of the Procedures.~~

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 (~~members and observers~~) 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 An agenda that includes venue details, teleconference telephone number and password details, ~~and relevant papers~~ for the meeting must be provided to relevant stakeholders by the secretary at least 5 business days prior to the meeting.

4.2.5.2. Notice of, and Papers for, Meetings

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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).

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.

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

4.3.5.3. Attendance at Procedure Change Committee Meetings

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

4.4.5.4. ~~Persons who may request Procedure Change Committee~~ ~~Consideration of matters~~

~~Subject to section 3.4 of this Charter, a~~ 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.

4.5.5.5. ~~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). 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 wapcc@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) and are to be e-mailed to the committee e-mail address wapcc@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.

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4.6. Attendance at, and Participation in, Meetings

Only those persons described in section 3 of this Charter may attend and participate in Procedure Change Committee meetings, via teleconference, video conference, or in person.

Other Users, Pipeline Operators and Prescribed Persons wishing to attend Procedure Change Committee meetings must identify themselves to the Procedure Change Committee secretariat prior to the meeting (contact information is available on the AEMO website at www.aemo.com.au) and at the start of the meeting.

In relation to Procedure changes, the Procedure Change Committee will examine the proposal and subsequently advise AEMO on options for further actions, in addition to providing assistance to AEMO in making a determination on the matters referred to in Chapter 9 of the Procedures.

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4.7.5.6. Minutes and pProceeding of mMeetings

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.

5.6. PROCEDURE CHANGE COMMITTEE PROCESSES

5.1.6.1. 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. ~~as required by clause 388(4) of the Procedures.~~

5.2.6.2. Procedure Change Committee Templates and Registers

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

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

[AEMO will create and maintain an Issue/Change Register.](#)



AEMO maintains two registers:

- the “Issues Register”, which is used to register and monitor the progress of issues that require attention from the Procedure Change Committee; and
- the “Procedure Change Register”, which is used to log and monitor the progress of proposed Procedure changes through the formal Procedure change process.

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5.3.6.3. ~~Procedure Change Committee Meetings~~

~~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 5 business days in advance.~~

A schedule of ~~tentative~~ Procedure Change Committee meeting dates is published annually on the AEMO website (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 5-10 business days in advance.

~~Under clause 394(1) of the Procedures, the Procedure Change Committee must meet within 20 days of the receipt of an IIR.~~

5.4.6.4. ~~Prior to m~~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
- an updated Procedure Change Register; and
- 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.

5.5.6.5. ~~After M~~meetings

AEMO is to minute Procedure Change Committee meetings. Draft minutes are to be circulated to the Procedure Change Committee ~~members and observers~~ within 5 business days ~~as required by clause 388(3) of the Procedures.~~

5.6.6.6. ~~Issues for c~~Consideration ~~by the Procedure Change Committee~~

The Procedures set out a formal process for the consideration of any proposed Procedure changes. ~~This process is detailed in the WA Gas Retail Market Procedure Change Guidelines.~~

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 decide 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; ~~and will then be tracked through the Procedure Change Register if the issue develops into a possible Procedure change.~~

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5.7. ~~Notification of Proposed Procedure Changes or Issues to Pipeline Operators and Prescribed Persons~~

AEMO must provide the following to Pipeline Operators and Prescribed Persons (i.e. Swing Service Providers, Shippers, and Self-Contracting Users) for any proposed Procedure change or issue that the Procedure Change Committee considers:

- a copy of all relevant proposed Procedure changes or issues papers; and
- a notice of any Procedure Change Committee meetings inviting the above parties to attend as an observer. Such parties will be permitted to comment on any proposed Procedure changes or issues being considered by the Procedure Change Committee.

6.7. ~~APPOINTMENT OF WORKING GROUPS OF THE PROCEDURE CHANGE COMMITTEE~~

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 a Charter or Terms of Reference](#) for that working group, if applicable.

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7.8. EXPENSES FOR COMMITTEE MEETING ATTENDANCE OR ACTIVITIES

~~For the avoidance of doubt, a~~Any expenses incurred as a result of attending ~~Procedure Change Committee~~ meetings or activities associated with the Procedure Change Committee are at the expense of ~~individual interested parties that the person may represent~~ the representative's employer.