

IMPACT & IMPLEMENTATION REPORT (WA) – SUMMARY SECTION

(For AEMO to complete and administer)

Procedure Change Number	IN002/17W		
Impacted jurisdiction(s)	Western Australia		
Proponent	Danny McGowan	Company	AEMO
Industry consultative forum(s) used	Procedure Change Committee (“PCC”)	Date concluded by Procedure Change Committee (“PCC”)	17 November 2017
Procedure change ranking (as per Chapter 9): <ul style="list-style-type: none"> ▪ Non-substantial ▪ Low impact ▪ High impact 	Low Impact		
Short description of change(s)	Improve clarity of the change process as described in Chapter 9 of the Western Australian (WA) gas Retail Market Procedures (RMP).		
Procedure(s) or documentation impacted	Retail Market Procedures (WA) ver 2.0		
Summary of the change(s)	<p>AEMO has identified that the current procedure change process as described in chapter 9 of the RMP is complex and difficult to follow. The Procedure Change Committee (PCC) agreed with AEMO’s view that chapter 9 should be reviewed. In consultation with the PCC, AEMO has developed a revised and more efficient procedure change process without diminishing the level of participant consultation.</p> <p>Attachment A is the revised chapter 9 which will replace the existing clause 378 through to 402 inclusive. See section 1 of this IIR for a more detailed explanation of the changes.</p> <p>This IIR has been prepared in accordance with clause 397 of the Retail Market Procedure (RMP) and is presented for consideration by gas retail market participants as a low impact procedure change. As per clause 399A (1) (a) (ii) AEMO now seeks submissions on the proposed changes which can be e-mail to pccwa@aemo.com.au.</p>		
I&IR prepared by	Danny McGowan	Approved by	Ruth Guest
Date IIR published	20 December 2017	Date consultation concludes	15 January 2018
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IMPACT & IMPLEMENTATION REPORT (WA) – DETAILED REPORT SECTION

CRITICAL EXAMINATION OF PROPOSAL

<p>1. Description of change(s) and reasons for change(s)</p>	<p>The proposed changes contained in this IIR were developed by AEMO and presented for discussion as a Proposed Procedure Change (“PPC”) at the Procedure Change Committee (PCC) meeting on 18 October 2017.</p> <p>Reasons why the proposed changes are needed:</p> <p>Chapter 9 (Procedure Change Process) of the Retail Market Procedures (RMP) (WA) describes the industry process to propose an amendment to the governing body for any artefacts under this scheme.</p> <p>AEMO has identified that the current drafting in chapter 9 of the RMP is complex and difficult to follow. AEMO understands that the challenge in understanding the change process has been an inherent issue for many years.</p> <p>Description of the proposed changes:</p> <p>The procedure change process described in chapter 9 is part of the original version of the procedures (then Rules) from the WA gas retail market commencement in 2004. The process steps appear largely unchanged prior to the REMCo to AEMO transition. AEMO understands that both REMCo and participants have acknowledged that chapter 9 was often difficult to follow.</p> <p>AEMO believes that the following requirements should be amended:</p> <ul style="list-style-type: none"> • PCC meeting to discuss and obtain approval of a procedure change request (clause 394); • The following documents prescribed in the RMP (clauses 378, 378B, 379 and 380): <ul style="list-style-type: none"> ○ Procedure Change Request; ○ Procedure Change Outline; ○ Impact and Implementation Report; and ○ Recommendation Report. • PCC meeting administrative practices prescribed in the RMP (clause 388) when the PCC has an existing charter; • Prescribed quorum formalities in the RMPs which potentially limits the ability for non PCC to express relevant views whilst the change is in its infancy (clause 384 and 387); • PCC to determine whether a change is non substantial, low impact or high impact (clause 396 (1) when AEMO does the same step (clause 396 (5)); and • PCC to formally vote on a procedure change when a better process is for the PCC to advise AEMO and assist AEMO make a determination. This includes capturing any dissenting views from the PCC representatives should the proposal not be fully supported. <p>To address the above list of issues, AEMO has prepared a revised chapter 9 (see attachments A) that AEMO and the PCC believe will</p>
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	<p>add clarity and provide a more efficient process without diminishing the level of participant consultation.</p> <p>Subject to the appropriate approval being obtained, the proposed amendments are to be published in a new version 3.0 of the RMP that is targeted for an effective date of 30 April 2018.</p> <p>The changes to chapter 9 will also result in changes to the PCC charter. In consultation with the PCC, AEMO has developed new terms of reference that align with the revised chapter 9. At the October 2017 PCC meeting, the PCC endorsed the proposed terms of reference to take effect from the date when the new chapter takes effect.</p>
<p>2. Reference documentation</p> <ul style="list-style-type: none"> ▪ Retail Market Procedure (the “Procedures”); ▪ AEMO Business/Information Specification Pack Reference; and/or ▪ Other Reference. 	<p>Retail Market Procedures (WA) version 2.0.</p>
<p>3. The high-level details of the change(s) to the existing Procedure</p> <p>This includes:</p> <ul style="list-style-type: none"> ▪ a comparison of the existing operation of the Procedure to the proposed change to the operation of the Procedure; and ▪ a marked up version of the proposed Procedure changes (see Attachment A) 	<p>To add clarity to chapter 9 of the RMPs.</p> <p>The precise amendments are detailed in Attachment A.</p>
<p>4. Explanation regarding the order of magnitude of the change (e.g. material, non-material or non-substantial)</p>	<p>The impact of the proposed amendments as described in this IIR are considered by AEMO to be ‘low impact’ because the amendments:</p> <ul style="list-style-type: none"> a) Do not materially impact the information technology systems of AEMO, participants, pipeline operators or prescribed persons; b) Do not materially alter consumer protection mechanisms under the Procedures; and c) Do not have a material commercial impact on AEMO, participants, pipeline operators or prescribed persons.

ASSESSMENT OF LIKELY EFFECT OF PROPOSAL

<p>5. Overall Industry cost/benefit analysis (tangible / intangible / risk) and/or cost estimates</p>	<p>AEMO will not incur any implementation cost or ongoing cost associated with the proposed procedure change. At the PCC held on 18 October 2017 no gas retail market participant indicated that they would incur costs as a result of this change.</p> <p>AEMO considers that the likely benefit will results in:</p> <ul style="list-style-type: none"> (i) a reduced overhead of spending time interpreting the change process; and (ii) a reduced risk of overlooking steps in the change process, resulting in inadvertent breaching of the RMP.
<p>6. The likely effect of the change(s) on stakeholders (e.g. industry or end-users)</p>	<p>AEMO will need to modify its process to administer RMP changes so that they reflect the new process described in chapter 9.</p> <p>The impact on Market Participants will be minimal. Market Participants, namely the PCC representatives will need to familiarise themselves with the new process described in chapter 9.</p> <p>Should the change be approved, AEMO will need to update the RMP and the PCC Terms of Reference and publish the new version of each document on its website.</p>
<p>7. Testing requirements</p>	<p>There are no testing requirements.</p>
<p>8. Consideration of the recommended Procedure change by AEMO under Rule 399.</p> <p>AEMO must either:</p> <ul style="list-style-type: none"> ▪ endorse the recommended Procedure change; or ▪ reject the recommended Procedure change 	<p>In accordance with clause 394(5) AEMO has considered the proposed amendment and determined to accept the PCC recommendation.</p> <p>In accordance with clause 396(5) AEMO agrees with the PCC assessment that this change is a low impact procedure change.</p>
<p>9. Consultation forum outcomes (e.g. the conclusions made on the change(s), whether there was unanimous approval, any dissenting views)</p>	<p>At its meeting on 18 October 2017, the PCC discussed the PPC developed by AEMO outlining the proposed amendments. The PCC endorsed the proposed amendments as described in attachment A as a low impact procedure change.</p> <p>At this meeting a number of matters were raised of a minor nature by PCC members that required further review by AEMO. Five of these matters resulted further minor changes to chapter 9. On the 10 November 2017 the PCC members were invited to provide feedback on the further changes. No PCC members opposed these further changes.</p> <p>On the 20 November 2017 the PCC members were invited to provide feedback on the draft IIR including the proposed amendments described in attachment A. No PCC member objected to the overall board changes. The feedback provided to AEMO did identify the need to make two minor changes and several minor</p>

	<p>grammatical changes. Advice on what was changes were made was e-mailed to the PCC on 12 December 2017.</p> <p>At the 13 December 2017 PCC meeting, AEMO provided a brief update on the outcomes of the consultations phases that occurred since the initiative was first tabled. PCC members were invited to raise any concern before AEMO issues the final IIR to all stakeholders. No PCC member raised any issues.</p>
<p>10. Authorisation review:</p> <ul style="list-style-type: none"> ▪ does this Procedure change impact the ACCC authorisation? 	<p>The Australian Competition and Consumer Commission (ACCC) granted Authorisations to REMCo to operate Chapter 5 (Allocation, Reconciliation and Swing) and Chapter 6 (Compliance and Interpretation) of the RMPs and associated ancillary deeds. The ACCC approved variations to the Authorisations to enable REMCo to transfer administration to AEMO.</p> <p>Authorisation is a process where the ACCC may grant protection from legal action for anti-competitive conduct that might otherwise breach the Competition and Consumer Act 2010 (the CCA) where there is an offsetting public benefit from the conduct.</p> <p>Changes to the RMP Chapters and ancillary deeds covered by the Authorisations must be assessed to determine whether the change impacts the Authorisation.</p> <p>Clauses 378 to 402 inclusive are provisions that are not part of Chapters 5 or 6 of the RMPs or ancillary deeds covered by the Authorisations. A review of the ACCC Authorisations is not required.</p>
<p>11. Should the proposed Procedure change be made, (with or without amendments)?</p>	<p>AEMO recommends that the proposed amendments as described in this IIR should be made without further amendments</p>
<p>12. If applicable, a proposed effective date for the proposed Procedure change(s) to take effect and justification for that timeline.</p>	<p>The proposed amendments are to be published in a new version 3.0 of the RMP that is targeted for an effective date of 30 April 2018.</p>

ATTACHMENT A – DOCUMENTATION CHANGES (SEE SECTION 3)

As per clause 378B (a) of the RMP, the following is the proposed procedure changes:

~~Red~~ ~~strikeout~~ means delete and blue underline means insert

Extract from clause 2 containing only the definitions that have been deleted, modified or new.

~~“**alternative amendment**” means an amendment to a recommended procedure change under clause 399A(7), clause 400(4)(b) or clause 400A(1)(b).~~

“approving body” means the person to whom ~~an endorsed~~ proposed procedure change must be submitted for approval under the *Energy Coordination Act 1994* (WA).

{Note: At the time version 1 of the *procedures* commenced, the person to whom ~~an endorsed~~ proposed procedure change must be submitted for approval is the Economic Regulation Authority.}

“consultation notice” means a notice published by AEMO under clause 383 (2) or clause 384 (3) (as applicable).

~~“**endorsed procedure change**” means a high impact or low impact recommended procedure change endorsed by AEMO under clause 399(1)(a).~~

~~“**in-progress procedure change**” means:~~

~~(a) a proposed procedure change or recommended procedure change that has not been rejected by AEMO under clause 394(5) or clause 399(1)(b); or~~

~~(b) an endorsed procedure change that has not been rejected by the approving body following its submission to that body under clause 400A(3)(b).~~

“impact and implementation report” means a report under clause 382

~~379 from AEMO to the procedure change committee on a proposed procedure change.~~

“**interested person**” means, in relation to a matter:

- (a) a government representative; or
- (b) *Economic Regulation Authority*; or
- (c) any other person that (as applicable) the *Economic Regulation Authority*, or [AEMO](#) considers has a legitimate interest in the matter or should be consulted in relation to the matter.

“**participant**” means each ~~of a~~ *user* and [a](#) *the network operator*.

“**procedure change committee**” means the committee established under clause ~~383~~[381](#).

~~“**procedure change outline**” means a report under clause 378B.~~

“**procedure change request**” means a [proposal for the making of procedures under clause 379](#)~~notice under clause 378(2) from a participant, pipeline operator, prescribed person or interested person to AEMO requesting amendment to a procedure specified in the request.~~

{Note - Making of *procedures* includes to amend, omit, omit and substitute, alter or vary}

~~“**procedure change withdrawal request**” means a notice under clause 378A(2) requesting the withdrawal of a *procedure change request* from the *procedure change process* in Chapter 9.~~

“**proponent**” means a person who lodges a *procedure change request* under clause ~~379~~[378\(1\)](#).

~~“**recommendation report**” means a report under clause 380 from the *procedure change committee* to AEMO.~~

~~“**recommended procedure change**” means an amendment to the *procedures* as determined by AEMO under clause 396A, clause 397 or clause 398(5).~~

Chapter 9 – Procedure change process

{Note 1: This Chapter sets out the procedure change process, however ancillary documents to the procedures, some of which are set out in the Appendices, can be amended outside of this procedure change process, as set out in clause 16.}

378. Preconditions for making procedures

- (1) AEMO may only make procedures if AEMO is satisfied that the procedures are consistent with the following objectives:
 - (a) to ensure that the retail gas market operates and is governed in a manner that is:
 - (i) open and competitive; and
 - (ii) efficient; and
 - (iii) fair to participants and their customers; and
 - (b) to ensure compliance with all applicable laws; 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 this procedure.

379. Proposal for making procedures

- (1) AEMO, a participant, pipeline operator, prescribed person or interested person may propose the making of procedures.
- (2) A proposal for the making of procedures must be in the format approved and published by AEMO (procedure change request).
- (3) The procedure change request must include:
 - (a) draft of the proposed procedures;
 - (b) a description of, and an explanation of the reasons for, the proposed procedures;
 - (c) except where AEMO makes a procedure change request, the GBO identification or the identity (as applicable) of the person lodging the proposal;
 - (d) the anticipated impact of the proposed change to the procedures on AEMO, participants, pipeline operators, prescribed persons, interested persons and customers; and

- (e) the proposed time frame for implementation of the proposed change to the procedures.
- (4) Within 2 business days after receiving a procedure change request, AEMO must notify the proponent confirming that the procedure change request was received.

380. Initial assessment of procedure change request

- (1) On receipt of a procedure change request from a proponent, AEMO must undertake an initial assessment of the procedure change request to confirm that:
 - (a) it complies with the requirements of clause 379 (2) and (3); and
 - (b) it relates to a matter about which the procedures may be made under the Energy Coordination Act 1994 (WA); and
 - (c) there is no other reason for AEMO to reject the procedure change request.
- (2) If a procedure change request complies with the requirements of clause 379 (2) and (3) and has not been rejected by AEMO under clause 382 (3), or if AEMO itself formulates a procedure change request, AEMO must:
 - (a) consider whether, in accordance with clause 385, the time limit for the preparation of an impact and implementation report ought to be extended; and
 - (b) publish the procedure change request on AEMO's website.

381. Procedure change committee

- (1) AEMO must establish a procedure change committee in respect of the WA gas retail market.
- (2) The procedure change committee will examine the procedure change request and may nominate specialist working groups for this purpose.
- (3) The procedure change committee is to advise AEMO and is to assist AEMO in making a determination on the following matters by the date in clause (4):
 - (a) Its analysis of the costs and benefits (either tangible or intangible) of making the requested procedures;
 - (b) Material issues and risks for the implementation of the procedure change request;
 - (c) Its analysis of the testing requirements of the procedure change request;

- (d) A recommendation as to whether or not the *procedure change request* should be implemented, with or without amendments;
 - (e) Whether the change to be implemented by the *procedure change request* is considered urgent or non-material and this includes analysis of whether the Ordinary or Expedited *procedure change process* is to be used for the consultation;
 - (f) Whether the change to be implemented by the proposed *procedure* complies with clause 378;
 - (g) An assessment of when the proposed *procedures* should take effect, and
 - (h) If the conclusions on the above matters are not unanimous, any dissenting views of *procedure change committee* members.
- (4) The consultation on the matters referred to in (3) must conclude by the date that is 10 *business days* before the expiry of the applicable time limit for preparation of the *impact and implementation report* by AEMO.
 - (5) Membership to the *procedure change committee* is to be open to *participants, pipeline operators, prescribed persons* and *interested persons* and will be administered on such terms of reference as are required for its roles under this consultation process and the membership under this clause (5).
 - (6) If a person provides information about the *costs* or *benefits* of a *procedure change request* that the person identifies as confidential, AEMO must keep that information confidential provided that AEMO may use such information for the purposes of the *impact and implementation report* or any decision under these *procedures* but may only disclose that information in a manner that does not identify the person to whom the information relates.

382. Impact and implementation report

- (1) Within 40 *business days* of formulating, or receiving from some other *proponent*, a *procedure change request* for the making of *procedures*, AEMO must prepare an *impact and implementation report*.
- (2) The *impact and implementation report* must include the following in relation to the *procedure change request*:
 - (a) the *proponent* and the date of the submission;
 - (b) the basis and rationale for the proposed *procedures*;
 - (c) the details of the change to the existing *procedures* including a draft identifying the amendments with marked changes;
 - (d) overall *cost/benefit (tangible/intangible)* analysis and/or the overall *cost estimates* of the proposal;

- (e) the likely implementation effect of the proposal on any identified parties;
 - (f) a recommendation on whether the proposed *procedures* should be made, with or without amendments;
 - (g) a recommendation on whether the expedited consultation process as described in clause 384, or ordinary consultation process, as described in clause 383, should be used; and
 - (h) if applicable, a proposed effective date that the proposed *procedures* should take effect.
- (3) AEMO may, without preparing an *impact and implementation report*, reject a *procedure change request* if AEMO reasonably considers that the proposed *procedures*:
- (a) lie beyond AEMO's power to make *procedures*; or
 - (b) are similar to *procedures* proposed, but rejected, in the previous 12 months;
 - (c) are misconceived or lacking in substance; or
 - (d) if the person lodging the *procedure change request* is not a *participant, pipeline operator, prescribed person* or an *interested person*.
- (4) If AEMO decides to reject a *procedure change request* under subclause (3), AEMO must:
- (a) give the *proponent* written *notice* of the decision and the reasons for it; and
 - (b) publish the decision and the reasons for it on AEMO's website.
- (5) If a *proponent* withdraws its *procedure change request* for the making of *procedures*, the process for making the *procedures* lapses unless AEMO decides to adopt the *procedure change request*.
- (6) If AEMO is the *proponent*, subclauses (1), (3) to (5) do not apply.

383. Ordinary process for making *procedures*

This clause describes the ordinary process for making *procedures*.

Note:

This clause represents the minimum requirements to which AEMO is subject. AEMO is not prevented from seeking useful commentary on the proposal by other means and from other sources.

- (1) AEMO must publish on its website a *consultation notice*:
- (a) including the *impact and implementation report*, and

- (b) inviting participants, pipeline operators, prescribed persons and interested persons to submit written comments on the impact and implementation report to AEMO on or before a date (which must be at least 20 business days after the date of the consultation notice) specified in the consultation notice.
- (2) The consultation notice under subclause (1) must be published no more than 10 business days after completion of the impact and implementation report.
 - (3) AEMO must publish a decision on its website within 20 business days after the closing date for submissions that:
 - (a) summarises any comments received on the impact and implementation report, and
 - (b) sets out the proposed procedures and, if they have been revised in the light of the comments received, describes how and why they have been revised; and
 - (c) if the decision is to submit the proposed procedures for approval by the approving body where the approving body's approval to procedure change is required by law, include a copy of AEMO's submission to the approving body that specifies the day on which AEMO proposes the procedures are to take effect.
 - (d) if the decision is against submitting the proposed procedures to the approving body – states that the procedure change request has been rejected and gives reasons for its rejection.
 - (4) If the decision is to submit the proposed procedures for approval by the approving body where the approving body's approval to procedure change is required by law, AEMO must:
 - (a) subject to any requirements of the approving body otherwise, provide each participant, pipeline operator, prescribed person, and interested person with the following information:
 - (i) instructions on how participants, pipeline operators, prescribed persons and interested persons can make a submission on the proposed procedures to the approving body, and
 - (ii) the closing date for submissions to the approving body by participants, pipeline operators, prescribed persons and interested persons, which must be at least 10 business days after the publication of the decision on AEMO's website; and
 - (b) submit the proposed procedures to the approving body.
 - (5) In determining whether or not to submit the proposed procedures to the approving body under this clause, AEMO:

- (a) must take into account all relevant and material comments that it receives by the closing date for comments; and
- (b) may, but is not required to, take into account any comments that it receives after that date.

384. Expedited process for making procedures

This clause describes the expedited process for making procedures.

Note:

This clause represents the minimum requirements to which AEMO is subject. AEMO is not prevented from seeking useful commentary on the proposal by other means and from other sources

- (1) The expedited process is applicable if AEMO considers that :
 - (a) the procedures are urgently necessary:
 - (i) to ensure the proper operation of the retail gas market; or
 - (ii) to ensure an adequate supply of natural gas; or
 - (iii) to ensure an appropriate response to an emergency; or
 - (b) the procedures are non-substantial (i.e. a change to the procedures that is being considered has a non-substantial impact if it has no effect on the operations of AEMO, participants, interested persons or prescribed persons and merely corrects typographical errors, grammatical errors, cross-referencing errors or other similar trivial defects in the procedures).
- (2) The expedited process is not applicable if the proposed procedures relates to clause 362A.
- (3) If the expedited process is applicable to a procedure change request, AEMO must, within 10 business days after completing an impact and implementation report, publish on its website a consultation notice:
 - (a) including the impact and implementation report, and
 - (b) stating that AEMO considers the expedited procedure applicable to the making of the procedures; and
 - (c) inviting participants, pipeline operators, prescribed persons and interested persons to submit written comments on the impact and implementation report to AEMO on or before a date (which must be at least 15 business days after the date of the consultation notice) specified in the consultation notice; and
 - (d) proposing a date on which the proposed procedures take effect.

- (4) After the closing date for submissions, AEMO must publish a decision on its website that:
- (a) confirms the proposal for submission for approval by the *approving body* and, subject to approval of the *approving body*, confirm the proposed effective date or defer the proposed effective date to a later date specified in the notice; or
 - (b) amend the proposal for submission for approval by the *approving body* and, subject to approval of the *approving body*, confirm the proposed effective date or defer the proposed effective date to a later date specified in the notice; or
 - (c) defers a decision on the *procedure change request* and provides for further consultation before a final decision on the *procedure change request* is made; or
 - (d) withdraws or rejects the *procedure change request*.
- (5) If AEMO confirms the proposed *procedures* for submission for approval by the *approving body* where the *approving body's* approval to the proposed *procedures* is required by law, AEMO must:
- (a) subject to any requirements of the *approving body* otherwise, provide each *participant*, *pipeline operator*, *prescribed person*, and *interested person* with the following information:
 - (i) instructions on how *participants*, *pipeline operators*, *prescribed persons* and *interested persons* can make a submission on the proposed *procedures* to the *approving body*; and
 - (ii) the closing date for submissions to the *approving body* by *participants*, *pipeline operators*, *prescribed persons* and *interested persons*, which must be at least 10 *business days* after the publication of the decision on AEMO's website; and
 - (b) submit the proposed *procedures* to the *approving body*.

385. Time limits

- (1) AEMO may, by notice published on its website, extend a time limit fixed by or under this chapter if:
- (a) notify all *participants*, *pipeline operators*, *prescribed persons* and *interested persons*; and
 - (b) a material change of circumstances occurs justifying the extension of the time limit.
- (2) A notice published under subclause (1) must state the reasons for the extension.

386. Approval

- (1) Upon notification from the approving body that the proposed procedures have been approved, AEMO must as soon as reasonably practicable:
 - (a) notify all participants, pipeline operators, prescribed persons and interested persons; and
 - (b) publish the updated procedures on its website.
- (2) Procedures that have been approved by an approving body take effect at a time specified by the approving body.

387. Amendment of documents relating to the procedures

- (1) AEMO must ensure that as a result of any proposed procedures taking effect under clause 386(2) that any subsidiary document that relates to, or is affected by, the procedures, is updated and amended accordingly and AEMO must notify all affected persons of any amendment made.
- (2) AEMO may determine such guidelines and processes necessary to give effect to its obligation in clause 387(1).

[388. There is no clause 388](#)

[389. There is no clause 389](#)

[390. There is no clause 390](#)

[391. There is no clause 391](#)

[392. There is no clause 392](#)

[393. There is no clause 393](#)

[394. There is no clause 394](#)

[395. There is no clause 395](#)

[396. There is no clause 396](#)

[397. There is no clause 397](#)

[398. There is no clause 398](#)

[399. There is no clause 399](#)

[400. There is no clause 400](#)

[401. There is no clause 401](#)

[402. There is no clause 402](#)

[378A. There is no clause 378A](#)

[378B. There is no clause 378B](#)

[396A. There is no clause 396A](#)

[399A. There is no clause 399A](#)

[400A. There is no clause 400A](#)

~~Chapter 9 – Procedure change process~~

~~Part 9.1 – Introduction~~

~~{Note 1: This Chapter sets out the procedure change process, however ancillary documents to the procedures, some of which are set out in the Appendices, can be amended outside of this procedure change process, as set out in clause 16.}~~

~~{Note 2: If a change to any of the clauses contained in this Chapter occurs, a review of the WA Gas Retail Market Procedure Change Guideline will be required to evaluate whether the guideline also needs to be amended.}~~

~~378. Procedure change request~~

- ~~(1) A participant, pipeline operator, prescribed person or interested person may lodge in writing a procedure change request with AEMO on any business day.~~
- ~~(2) A procedure change request must specify at least the following information:
 - ~~(a) the GBO identification or the identity (as applicable) of the person lodging the procedure change request; and~~
 - ~~(b) the reason for the procedure change request; and~~
 - ~~(c) the procedure change request, either as marked up changes to the text of the procedures or as a detailed summary of the proposed change to the procedures; and~~
 - ~~(d) the anticipated impact of the proposed change to the procedures on affected persons; and~~
 - ~~(e) the proposed time frame for implementation of the proposed change to the procedures.~~~~

~~378A. Proponent may withdraw a procedure change request~~

- ~~(1) A proponent may, at any time prior to the time that AEMO endorses a proposed change to the procedures under clause 399(1)(a), withdraw a procedure change request lodged by the proponent by lodging with AEMO a procedure change withdrawal request.~~
- ~~(2) A procedure change withdrawal request must specify at least the following information:
 - ~~(a) the GBO identification or the identity (as applicable) of the person lodging the procedure change withdrawal request;~~
 - ~~(b) the date on which the procedure change request that the person is seeking to withdraw was lodged with AEMO;~~
 - ~~(c) the procedure change request reference that AEMO assigned to the procedure change request that the person is seeking to withdraw or a description of the procedure change request; and~~~~

- ~~(d) — the reason for lodging the *procedure change withdrawal request*.~~
- ~~(3) — Within two *business days* after receiving a *procedure change withdrawal request* AEMO must either accept or reject the request and notify the person lodging the request of its decision.~~

378B. Procedure change outline

~~A *procedure change outline* must include:~~

- ~~(a) — the *proposed procedure change* and any applicable *alternative amendments* as marked up changes to the text of the *procedures*;~~
- ~~(b) — any other information that AEMO considers is relevant.~~

379. Impact and implementation report

~~An *impact and implementation report* must include:~~

- ~~(a) — a copy, or instructions on how to obtain a copy, of the *procedure change outline*; and~~
- ~~(b) — the identity of which *participants, pipeline operators* and *prescribed persons* will be affected by the *proposed procedure change*; and~~
- ~~(c) — an analysis of the impact of the *proposed procedure change* on the persons identified under clause 379(b) above; and~~
- ~~(d) — an analysis of the anticipated implementation time, implementation cost and ongoing cost associated with the *proposed procedure change*; and~~
- ~~(e) — a cost/benefit analysis of the *proposed procedure change*.~~

380. Recommendation report

~~A *recommendation report* must include:~~

- ~~(a) — a copy, or instructions on how to obtain a copy, of the *procedure change outline*; and~~
- ~~(b) — instructions on how to obtain a copy of the *impact and implementation report* prepared by AEMO; and~~
- ~~(c) — a *recommended procedure change* to implement the *procedure change request* (if this is different from the marked up changes in the *procedure change outline*); and~~
- ~~(d) — an implementation plan for the *recommended procedure change* (if any specific implementation considerations have been identified); and~~
- ~~(e) — advice on the impact of the *recommended procedure change* on AEMO, *participants, pipeline operators* and *prescribed persons*.~~

381. Timing of procedure change

~~Each of AEMO, the procedure change committee, participants, pipeline operators and prescribed persons must fulfil their obligations under Part 9.2 expeditiously.~~

382. There is no clause 382

Part 9.2—Procedure change

383. AEMO must have established procedure change committee

- ~~(1) AEMO must establish a procedure change committee under these procedures.~~
- ▲ ~~(2) As soon as practicable and in any event within 3 months after a procedure change committee member retires, is removed or otherwise vacates the office, AEMO must appoint a replacement member.~~

384. Composition of procedure change committee

- ~~(1) The procedure change committee must comprise the following members:
 - ~~(a) one member representing AEMO, who is the chairperson of the procedure change committee; and~~
 - ~~(b) at least one member representing the interests of the network operators; and~~
 - ~~(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 clause 384(1)(c).~~~~
- ~~(2) An observer from the approving body may attend each procedure change committee meeting.~~
- ~~(3) Nothing said, or done, or omitted to be said or done, by the observer referred to under clause 384(2), fetters 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.~~

385. Tenure of procedure change committee members

- ~~(1) AEMO may appoint each procedure change committee member for a period of up to 2 years.~~
- ~~(2) AEMO may re-appoint a procedure change committee member whose tenure has finished.~~

- ~~(3) A person immediately ceases to be a member of the *procedure change committee* if the person:~~
- ~~(a) becomes of unsound mind or a person liable, or a person whose assets are liable, to any control or administration under any law relating to physical or mental health; or~~
 - ~~(b) resigns by *notice to AEMO*; or~~
 - ~~(c) dies.~~
- ~~(4) AEMO may remove a *procedure change committee* member in the following circumstances:~~
- ~~(a) if the member becomes bankrupt, is convicted of fraud or on indictment of an offence other than fraud or is otherwise ineligible to be appointed as a director of a corporation under the Corporations Act 2001; or~~
 - ~~(b) if AEMO considers that the member has failed to adequately discharge the duties of a *procedure change committee* member (including failure to consult with, represent the views of, or keep informed other *participants* of the type the member is appointed to represent); or~~
 - ~~(c) if AEMO considers that the *procedure change committee* member is otherwise unfit to hold the position of *procedure change committee* member.~~
- ~~(5) AEMO must forthwith *notify* a person in writing of his or her removal under clause 385(4).~~

~~386. Objectives of procedure change committee~~

- ~~(1) The *procedure change committee* is to operate under these *procedures* on the basis of the following objectives:~~
- ~~(a) to ensure that the retail gas market operates and is governed in a manner that is:
 - ~~(i) open and competitive; and~~
 - ~~(ii) efficient; and~~
 - ~~(iii) fair to *participants* and their *customers*; and~~~~
 - ~~(b) to ensure compliance with all applicable *laws*; 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 this *procedure*.~~

▲ 387. Quorum

~~Quorum for a meeting of the procedure change committee is 4 members, including at least one member under clauses 384(1)(a) to 384(1)(d).~~

388. Meetings

- ~~(1) The procedure change committee must meet as and when required by these procedures.~~
- ~~(2) The procedure change committee chairperson must ensure that each procedure change committee meeting is minuted.~~
- ~~(3) Within 5 business days after a procedure change committee meeting, the procedure change committee chairperson must circulate the draft minutes of the proceeding to the other members of the procedure change committee for consideration and approval.~~
- ~~(4) AEMO must ensure that the minutes of each procedure change committee meeting are made available to, and accessible by, each procedure change committee member for 7 years after the date of the meeting.~~
- ~~(5) AEMO must provide all reasonable administrative assistance requested by the procedure change committee.~~
- ~~(6) The procedure change committee may adopt such procedures as it sees fit for conducting meetings of the procedure change committee.~~

389. Limitation of Liability

~~To the extent permitted by law, a procedure change committee member is not liable for any loss or damage suffered or incurred by any person as a consequence of any act or omission of the procedure change committee unless the procedure change committee, or its members, as the case may be:~~

- ~~(a) do not act in good faith under this Part 9.2; or~~
- ~~(b) act fraudulently.~~

390. Indemnity

~~Notwithstanding clause 389, if a procedure change committee member is liable to pay any amount for loss or damage suffered or incurred by a person as a consequence of any act or omission of the procedure change committee, AEMO must indemnify the procedure change committee member:~~

- ~~(a) for the full amount of loss or damage; and~~
- ~~(b) for any costs and expenses incurred by the member in defending related proceedings,~~

~~unless the liability arose out of the member's:~~

- ~~(c) — conduct involving a lack of good faith under this Part 9.2; or~~
- ~~(d) — fraud.~~

~~391. AEMO must accept or reject procedure change request~~

~~(1) — As soon as practicable and in any event within 5 *business days* after receipt of a *procedure change request*, AEMO must either accept or reject the request.~~

~~▲ (2) — AEMO must:~~

~~(a) — reject a *procedure change request*:~~

- ~~(i) — if the person lodging the *procedure change request* is not a *participant* or an *interested person*; or~~
- ~~(ii) — if AEMO determines that the *procedure change request* is frivolous, vexatious, or not lodged in good faith; and~~

~~(b) — as soon as practicable after rejecting a *procedure change request*:~~

- ~~(i) — *notify* the *proponent* that the request has been rejected; and~~
- ~~(ii) — provide the reason why the request was rejected.~~

~~(3) — AEMO must accept a *procedure change request* if it is not rejected under clause 391(2).~~

~~392. Appeal to AEMO~~

~~(1) — Within 5 *business days* after AEMO's notification under clause 391(2)(b)(i), the *proponent* may appeal AEMO's decision by submitting to AEMO the reasons why the *proponent* disagrees with AEMO's decision.~~

~~(2) — AEMO may determine such guidelines as are necessary to consider this appeal, but in any event must ensure that the appeal is considered and a decision reached whether or not to accept the *procedure change request* within 20 *business days* of receipt of the appeal.~~

~~(3) — If AEMO determines under clause 392(2) that AEMO was correct in the first instance to reject the *procedure change request*, then AEMO must *notify* the *proponent* of the resolution.~~

~~393. If procedure change request is accepted~~

~~If AEMO accepts a *procedure change request* under clause 391(3) or clause 392(2), AEMO must:~~

~~(a) — *notify* the *proponent* that it has accepted the *procedure change request*; and~~

- ~~(b) — within 20 business days after notification under clause 393(a), complete a procedure change outline and, if AEMO considers that the procedure change is likely to have a low or high impact, a draft impact and implementation report, and~~
- ~~(c) — provide the procedure change outline and draft impact and implementation report (if there is one) to the procedure change committee.~~

394. Initial assessment by procedure change committee

- ~~(1) — Within 20 business days after it receives a procedure change outline and draft impact and implementation report (if there is one) under clause 393(c), the procedure change committee must meet to consider the related procedure change request.~~
- ~~(2) — The procedure change committee must:
 - ~~(a) — recommend to AEMO that a procedure change request be rejected if the procedure change committee considers that the proposed procedure change:
 - ~~(i) — is impractical to implement; or~~
 - ~~(ii) — is not cost effective for one or more of AEMO, participants, pipeline operators and prescribed persons (as applicable) to implement; or~~
 - ~~(iii) — would have an adverse effect on the retail gas market; or~~
 - ~~(iv) — would not comply with the law; or~~
 - ~~(v) — be otherwise inconsistent with the objectives in clause 386; and~~~~~~
- ~~(3) — If the procedure change committee determines that the procedure change outline and, if available, draft impact and implementation report does not contain sufficient information to determine the impact of the proposed procedure change, the procedure change committee may notify AEMO of the additional information it requires, in which case:
 - ~~(a) — within 10 business days after the notification, AEMO must provide the procedure change committee with the information; and~~
 - ~~(b) — the procedure change committee must meet again under clause 394(1).~~~~
- ~~(4) — The procedure change committee must recommend to AEMO to accept a procedure change request if the procedure change committee does not recommend to reject it under clause 394(2).~~
- ~~(5) — Within 20 business days after receiving a recommendation from the procedure change committee under clause 394(2)(a) or clause 394(4), AEMO must decide to either accept or reject the procedure change request.~~

- ~~(6) Within 5 business days after rejecting a procedure change request, AEMO must:~~
- ~~(a) notify the proponent that it has rejected the procedure change request; and~~
 - ~~(b) provide the reason why the procedure change request was rejected.~~

395. Appeal to AEMO

- ~~(1) Within 20 business days after notification under clause 394(6), the proponent may appeal AEMO's decision by submitting to AEMO the reasons why the proponent disagrees with AEMO's decision:~~
- ~~(2) AEMO may determine such guidelines as are necessary to consider this appeal, but in any event must ensure that the appeal is considered and a decision reached whether or not to accept the procedure change request within 20 business days of receipt of the appeal.~~
- ~~(3) If AEMO determines under clause 395(2) that the AEMO was correct in the first instance to reject the procedure change request, then AEMO must notify the proponent of the resolution.~~
- ~~(4) If AEMO determines under clause 395(2) that the AEMO should accept the procedure change request, it must notify the proponent of the resolution.~~

396. If AEMO accepts the procedure change request

- ~~(1) If AEMO accepts a procedure change request under clause 394(5) 394(5) or 395(4), the procedure change committee must determine (for the purpose of making a recommendation to AEMO) whether the proposed procedure change is likely to have a non-substantial impact, low impact, or high impact on the affected parties under guidelines published by AEMO under clause 396(3) (if any).~~
- ~~(2) Without limiting the procedure change committee's discretion under clause 396(1) or AEMO's discretion under clause 396(5):~~
- ~~(a) a change to the procedures that is being considered has a non-substantial impact if it has no effect on operations of AEMO, participants, interested persons or prescribed persons and merely corrects typographical errors, grammatical errors, cross-referencing errors or other similar trivial defects in the procedures;~~
 - ~~(b) a change to the procedures that is being considered has a low impact if it:~~
 - ~~(i) does not have a material impact on the information technology systems of AEMO, participants, pipeline operators or prescribed persons; or~~

- ~~(ii) — does not materially alter consumer protection mechanisms under the procedures; or~~
- ~~(iii) — does not have a material commercial impact on AEMO, participants, pipeline operators or prescribed persons; and~~
- ~~(c) — a procedure change that is being considered is classified as having a high impact if it is not classified as having a non-substantial impact or a low impact.~~
- ~~(3) — AEMO may publish guidelines from time to time for the procedure change committee to use in assessing the impact of a proposed procedure change.~~
- ~~(4) — The procedure change committee must inform AEMO of its recommendation under clause 396(1) within 20 business days after AEMO has accepted a procedure change request.~~
- ~~(5) — Within 20 business days after receiving a recommendation from the procedure change committee under clause 396(4), AEMO must determine (in its absolute discretion) whether the proposed procedure change is likely to have a non-substantial impact, low impact, or high impact on the affected parties.~~

396A. Non-Substantial procedure change

~~If AEMO determines under clause 396(5) that the change to the procedures that is being considered has a non-substantial impact, AEMO must decide whether to submit the non-substantial procedure change to the approving body where the approval to a procedure change is required by law. AEMO will determine the format that must be used for the submission.~~

397. Low impact procedure change

~~If AEMO determines under clause 396(5) that the change to the procedure that is being considered is likely to have a low impact, AEMO must develop an impact and implementation report within 5 business days after making the determination.~~

398. High impact procedure change

- ~~(1) — If AEMO determines under clause 396(5) that the change to the procedures that is being considered would not have a non-substantial or a low impact, or if an objection made under clause 399A(4)(a) has specified that a procedure change is high impact, AEMO must develop an impact and implementation report.~~
- ~~(2) — After making a determination under clause 398(1) or receiving a notification under clause 399A(4)(a), AEMO must:
 - ~~(a) — notify each participant, pipeline operator, prescribed person and interested person that:~~~~

- ~~(i) — AEMO has received a procedure change request containing a proposed procedure change that AEMO has determined would not have a non-substantial or low impact; and~~
- ~~(ii) — AEMO seeks submissions on the proposed procedure change; and~~
- ~~(b) — provide each participant, pipeline operator, prescribed person and interested person with:~~
 - ~~(i) — the procedure change request or a description of the procedure change request; and~~
 - ~~(ii) — information as to where they can access an electronic copy of the procedure change request and the impact and implementation report; and~~
 - ~~(iii) — instructions on how to make a submission on the proposed procedure change to AEMO; and~~
 - ~~(iv) — the closing date for submissions, which must be at least 10 business days after a determination under clause 296(5).~~
- ~~(3) — Each participant, pipeline operator, prescribed person and interested person may lodge a submission on the procedure change request using the instructions notified under clause 398(2)(b)(iii).~~
- ~~(4) — Within 20 business days after receipt of the submissions under clause 398(3), AEMO must consider the submissions.~~
- ~~(5) — Within 10 business days after considering the submissions under clause 398(4), AEMO must make a determination as to whether the change to the procedures that is being considered would not have a non-substantial or a low impact.~~

~~399. Consideration of recommended procedure change by AEMO~~

- ~~(1) — As soon as practicable and in any event within 20 business days after making a recommended procedure change under clause 396A, 397 or 398(5), AEMO must consider the recommended procedure change and determine whether to:~~
 - ~~(a) — endorse the recommended procedure change; or~~
 - ~~(b) — reject the recommended procedure change.~~
- ~~(2) — If a recommended procedure change relates to clause 362A then AEMO must not endorse the recommended procedure change under clause 399(1)(a) unless at least 80% of the votes cast at a meeting of the AEMO Board support the endorsement of the recommended procedure change.~~
- ~~(3) — If AEMO decides to reject a recommended procedure change under clause 399(1)(b), AEMO must notify:~~

- ~~(a) the proponent; and~~
 - ~~(b) each person who lodged a submission under clause 398(3) (if applicable); and~~
 - ~~(c) each interested person;~~
- ~~that the recommended procedure change has been rejected and provide the reason why the recommended procedure change was rejected.~~

399A. AEMO endorses low impact procedure change

- ~~(1) If AEMO endorses a low impact recommended procedure change under clause 399(1)(a), then within 5 business days after the decision, AEMO must:~~
 - ~~(a) notify each participant, pipeline operator, prescribed person and interested person that:~~
 - ~~(i) AEMO has received a procedure change request containing a proposed procedure change that AEMO has determined to have a low impact; and~~
 - ~~(ii) AEMO seeks submissions on the low impact procedure change; and~~
 - ~~(b) provide each participant, pipeline operator, prescribed person and interested person with:~~
 - ~~(i) the proposed procedure change; and~~
 - ~~(ii) information as to where they can access an electronic copy of the impact and implementation report; and~~
 - ~~(iii) instructions on how to make an objection on the low impact procedure change to AEMO; and~~
 - ~~(c) the date of the end of the objection period, which must be at least 10 business days after the notification under clause 399A(1)(a).~~
- ~~(2) If a participant, pipeline operator, prescribed person or interested person wishes to object to a low impact procedure change it must notify AEMO of its objection by the end of the objection period. A submission under this clause 399A(2) must include the reasons for the objection and specify whether the submitter considers the low impact procedure change to be non-substantial, low impact or high impact and include reasons for this classification.~~
- ~~(3) If by the end of the objection period AEMO has not received any objection under clause 399A(2), then AEMO must treat the procedure change as a low impact procedure change as if it were a determination made under clause 396A.~~

- ~~▲ (4) If by the end of the objection period AEMO has received any objection under clause 399A(2), then AEMO must notify participants, pipeline operators, prescribed persons and interested persons of the objection and that:
 - ~~(a) if an objection made under clause 399A(2) has specified that the recommended procedure change is considered to be high impact, the procedure change will be subject to the high impact procedure change process set out in clauses 398 and 399; or~~
 - ~~(b) if an objection made under clause 399A(2) has specified that the recommended procedure change is considered non-substantial or low impact (and so long as there are no other objections that require the procedure change to be made subject to the high impact procedure change process in clauses 398 and 399), AEMO will provide the objection to the procedure change committee for it to consider.~~~~
- ~~(5) As soon as practicable after receiving the objection information under clause 399A(4)(b), the procedure change committee must determine:
 - ~~(a) to recommend the procedure change to AEMO for determination under clause 400A(1) despite the objection; or~~
 - ~~(b) to recommend to AEMO that the procedure change be abandoned by AEMO under clause 400A(1);~~
 - ~~(c) to recommend an alternative amendment having regard to the objections received under clause 399A(2).~~~~
- ~~(6) After receiving a recommendation from the procedure change committee under clause 399(5), AEMO must make a determination:
 - ~~(a) under clause 400A(1) despite the objection; or~~
 - ~~(b) that the procedure change be abandoned by AEMO under clause 400A(1);~~
~~or~~
 - ~~(c) that an alternative amendment be made having regard to the objections received under clause 399A(2).~~~~
- ~~(7) If AEMO decides to abandon the procedure change under clause 399A(6)(b), it must notify participants, pipeline operators, prescribed persons and interested persons that the procedure change has been abandoned and the reasons for the abandonment.~~
- ~~(8) If AEMO makes a determination to make an alternative amendment under clause 399A(5)(c) then:
 - ~~(a) if the alternative amendment does not differ materially from the recommended procedure change, AEMO will complete a report, in a format determined by AEMO from time to time, recommending the~~~~

~~procedure change for approval by the approving body where the approving body's approval for a procedure change is required by law; or~~

- ~~(b) if the alternative amendment differs materially from the recommended procedure change, AEMO must make a determination as if it were made under clause 397.~~

400. AEMO endorses high impact procedure change

~~(1) If AEMO endorses a high impact recommended procedure change under clause 399(1)(a), then within 5 business days after the decision, AEMO must:~~

~~(a) notify each participant, pipeline operator, prescribed person and interested person that AEMO has endorsed a recommended procedure change and is seeking submissions on the endorsed procedure change; and~~

~~(b) provide each participant, pipeline operator, prescribed person and interested person with the following information:~~

~~(i) a brief description of the endorsed procedure change and an explanation of the reasons for any material differences between the proposed procedure change and the endorsed procedure change; and~~

~~(ii) information as to where they can access an electronic copy of the procedure change request, the impact and implementation report, and the endorsed procedure change; and~~

~~(iii) instructions on how to make a submission on the endorsed procedure change to AEMO; and~~

~~(iv) the closing date for submissions, which must be at least 20 business days after notification under clause 400(1)(a).~~

~~(2) Each participant, pipeline operator, prescribed person and interested person may lodge a submission on the endorsed procedure change using the procedures notified under clause 400(1)(b)(iii).~~

~~(3) Within 10 business days after the closing date notified under clause 400(1)(b)(iv) or 400(6)(b)(iv), AEMO must provide the submissions received under clause 400(2) or 400(7) respectively to the procedure change committee.~~

~~(4) If the submissions provided under clause 400(3) contain an objection to the endorsed procedure change, the procedure change committee must either:~~

~~(a) complete a recommendation report, in a format determined by AEMO from time to time, recommending the submission of the endorsed procedure change for approval by the approving body where the approving body's approval to an endorsed procedure change is required by law, despite the objection, and provide the report to AEMO; or~~

- ~~(b) — recommend to AEMO to amend the endorsed procedure change to address the objection and either:
 - ~~(i) — if the amendment to the endorsed procedure change is not material, provide AEMO with a recommendation report, in a format determined by AEMO from time to time, an outline of the alternative amendment and how it differs from the endorsed procedure change, and recommending the submission of the alternative amendment for approval by the approving body where the approving body's approval to a procedure change is required by law; or~~
 - ~~(ii) — submit the alternative amendment to AEMO; or~~~~
- ~~(c) — recommend to AEMO that the endorsed procedure change be abandoned by AEMO under clause 400A(1), and the reason why is should be abandoned.~~
- ~~(5) — After receiving a recommendation from the procedure change committee under clause 400(4), AEMO must make a determination:
 - ~~(a) — under clause 400A(1) despite the objection; or~~
 - ~~(b) — that the procedure change be abandoned by AEMO under clause 400A(1); or~~
 - ~~(c) — that an alternative amendment be made having regard to the objections received under clause 400(3).~~~~
- ~~(6) — If AEMO decides to make to make an alternative amendment under clause 400(5)(c) or clause 400A(1)(b), then within 5 business days after deciding to make the alternative amendment, AEMO must:
 - ~~(a) — notify each participant, pipeline operator, prescribed person and interested person that AEMO has decided to make an alternative amendment for an endorsed procedure change and is seeking submissions on the alternative amendment; and~~
 - ~~(b) — provide each participant, pipeline operator, prescribed person, and interested person with the following information:
 - ~~(i) — the alternative amendment and an explanation of the reasons for any material differences between the alternative amendment and the endorsed procedure change; and~~
 - ~~(ii) — information as to where they can access an electronic copy of the procedure change request, the impact and implementation report, and the endorsed procedure change; and~~
 - ~~(iii) — instructions on how to make a submission on the alternative amendment to AEMO; and~~~~~~

- ~~(iv) — the closing date for submissions, which must be at least 10 business days after notification under clause 400(6)(a).~~
- ▲ ~~(7) — Each participant, pipeline operator, prescribed person and interested person may lodge a submission on the alternative amendment using the procedures notified under clause 400(5)(b).~~
- ~~(8) — If the submissions provided under clause 400(3) does not contain an objection to the endorsed procedure change, the procedure change committee must:

 - ~~(a) — complete a report, in a format determined by AEMO from time to time, recommending the submission of the endorsed procedure change for approval by the approving body where the approving body's approval to an endorsed procedure change is required by law, and~~
 - ~~(b) — provide a copy of the report to AEMO.~~~~

400A. Submission for approval

- ~~(1) — AEMO may determine such guidelines as are necessary to consider a report received under clause 396A, 399A(4), 399(5)(b), 400(4)(a), 400(4)(b)(i), 400(4)(c) or 400(8), but in any event must ensure that within 20 business days of receipt of the report that the report is considered and a decision reached whether to:

 - ~~(a) — submit the endorsed procedure change for approval by the approving body where the approving body's approval to an endorsed procedure change is required by law, or~~
 - ~~(b) — amend the endorsed procedure change and endorse it for consultation under clause 400(5); or~~
 - ~~(c) — abandon the endorsed procedure change.~~~~
- ~~(2) — If AEMO decides under clause 400A(1)(c) to abandon the endorsed procedure change, it must notify:

 - ~~(a) — the proponent, and~~
 - ~~(b) — each person who lodged a submission under clause 400(2); and~~
 - ~~(c) — each interested party,~~
 that the endorsed procedure change has been abandoned and the reason why the endorsed procedure change has been abandoned.~~
- ~~(3) — If AEMO decides under clause 400A(1)(a) to submit the endorsed clause change for approval by the approving body where the approving body's approval to an endorsed clause change is required by law, AEMO must:~~

- ~~(a) — notify each participant, pipeline operator, prescribed person and interested person that the endorsed procedure change is being submitted to the approving body which notice must include a copy of the submission and the details of the endorsed procedure change; and~~
- ~~(b) — Subject to any requirements of the approving body otherwise, provide each participant, pipeline operator, prescribed person, and interested person with the following information:
 - ~~(i) — instructions on how to make a submission on the endorsed procedure change to the approving body; and~~
 - ~~(ii) — the closing date for submissions, which must be at least 10 business days after the submission of the endorsed procedures change under clause 400A(3)(c).~~~~
- ~~(c) — submit the endorsed clause change to the approving body.~~

401. Approval

- ~~(1) — Upon notification from the approving body that an endorsed clause change has been approved, AEMO must notify all participants, pipeline operators, prescribed persons and interested persons.~~
- ~~(2) — A clause change that has been approved by an approving body takes effect at a time specified by AEMO or the approving body.~~

402. Amendment of documents relating to the procedures

- ~~(1) — AEMO must ensure that as a result of any endorsed clause change taking effect under clause 401(2) that any subsidiary document that relates to, or is affected by, the procedures, is updated and amended accordingly and AEMO must notify all affected persons of any amendment made.~~
- ~~(2) — AEMO may determine such guidelines and processes necessary to give effect to its obligation in clause 402(1).~~

