



# Victoria Government Gazette

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## Electricity Industry Act 2000

### ADVANCED METERING INFRASTRUCTURE (OBLIGATIONS TO INSTALL METERS) ORDER 2017

Order in Council

The Governor in Council under sections 15A and 46D of the **Electricity Industry Act 2000** makes the following Order.

#### **Advanced Metering Infrastructure (Obligations to Install Meters) Order 2017**

##### **Part 1 Preliminary**

#### **1. Objectives**

The objectives of this Order are:

- (a) to regulate the installation and operation of remotely read interval meters on and after 1 December 2017; and
- (b) to make consequential amendments to the Cost Recovery Order; and
- (c) to revoke the AMI Specifications Order.

#### **2. Commencement**

This Order comes into operation on 1 December 2017.

#### **3. Definitions**

- (1) In this Order:

**AMI Specifications Order** means the Order in Council made on 12 November 2007 under sections 15A and 46D of the **Electricity Industry Act 2000** and published in the Government Gazette S286 on that day as amended and in force immediately before the commencement of this Order.

**Commission** means the Essential Services Commission established by the **Essential Services Commission Act 2001**.

**complying remotely read interval meter** means a remotely read interval meter that is operational as a remotely read interval meter in accordance with the Specifications.

**connection point** has the same meaning as in the National Electricity Rules.

**Cost Recovery Order** means the Order in Council made on 28 August 2007 under sections 15A and 46D of the **Electricity Industry Act 2000** and published in the Government Gazette S200 on that day as amended from time to time.

**customer** means a person who buys electricity from a retailer.

**Department** means the Department of Environment, Land, Water and Planning.

**distributor** means distribution company.

**Note:**

A distribution company is a Local Network Service Provider under the National Electricity Rules.

**Functionality Specification** means the minimum State-wide functionality requirements and performance levels set out in sections 3 and 4, respectively, of the document entitled 'Minimum AMI Functionality Specification (Victoria)' approved by the Minister and published on the Department's website on 18 October 2007, as amended from time to time under the AMI Specifications Order before 1 December 2017 and as amended from time to time under Part 3 of this Order.

**SPECIAL**

**interval energy data** has the same meaning as in the National Electricity Rules.

**interval meter** means a meter that records interval energy data.

**meter** has the same meaning as in the National Electricity Rules.

**Metering Coordinator** has the same meaning as in the National Electricity Rules.

**metering data** has the same meaning as in the National Electricity Rules.

**metering installation** has the same meaning as in the National Electricity Rules.

**metrology procedure** has the same meaning as in the National Electricity Rules.

**relevant metering installation**, in relation to a distributor, means a metering installation for a small customer connected to the distributor's network but does not include a metering installation that:

- (a) was installed before 1 July 2009 and in respect of which, as at that date, a retailer was the responsible person; or
- (b) was installed on or after 1 July 2009, by a retailer as part of the retailer's ordinary replacement cycle of metering installations of that kind and in respect of which the retailer was, as at 1 July 2009, the responsible person; or
- (c) is a type 1 metering installation; or
- (d) is a type 2 metering installation; or
- (e) is a type 3 metering installation; or
- (f) is a type 7 metering installation; or
- (g) is located at a high voltage connection point.

**remotely read interval meter** means an interval meter that:

- (a) meets the Functionality Specification; and
- (b) is designed to transmit data to a remote location for data collection; and
- (c) does not, at any time, require the presence of a person at, or near, the meter for the purposes of data collection or data verification (whether this occurs manually as a walk-by reading or through the use of a vehicle as a close proximity drive-by reading), including, but not limited to, an interval meter that transmits metering data via direct dial-up, satellite, the internet, general packet radio service, power line carrier, or any equivalent technology.

**responsible person** has the same meaning as it had in the National Electricity Rules before 1 December 2017.

**Service Levels Specification** means the services and minimum service levels set out in section 4 of the document entitled 'AMI Service Levels Specification (Victoria)' approved by the Minister and published on the Department's website on 18 October 2007, as amended from time to time under the AMI Specifications Order before 1 December 2017 and as amended from time to time under Part 3 of this Order.

**small customer** means a customer with an annual volume consumption of electricity of less than 160 MWh.

**Specifications** means the Functionality Specification and the Service Levels Specification.

**volume consumption** means the volume of energy consumed by a customer at the relevant connection point calculated in accordance with clause 4.5(d) of the metrology procedure Part A.

- (2) In this Order, a relevant metering installation that, but for it being capable of remote acquisition, would be a type 5 or type 6 metering installation, is taken to be a type 5 or type 6 metering installation, respectively.

- (3) Terms used in the definition of relevant metering installation that are not defined in this Order have the same meanings as in the National Electricity Rules.

**4. Relevant entity**

- (1) As at the commencement of this Order, each distributor and retailer is a relevant entity.
- (2) If an entity becomes a distributor or a retailer after the commencement of this Order, the Essential Services Commission must give notice to the entity that:
- (a) it is a relevant entity; and
  - (b) the entity becomes a relevant entity on the date specified in the notice which may be a date before the date of the notice.

**Note:**

Under section 46C of the **Electricity Industry Act 2000**, a relevant entity's licence is taken to include a condition requiring compliance with this Order and any other Order made under section 46D of the Act.

**Part 2 Regulation of relevant metering installations**

**5. Only distributors to be appointed as Metering Coordinators**

A retailer must only appoint the distributor whose network is connected at a connection point with a relevant metering installation as the Metering Coordinator in respect of that connection point.

**6. Ongoing arrangements for installation of complying remotely read interval meters by distributors**

- (1) Each distributor must on and from 1 December 2017:
- (a) subject to subclause (3), install only a complying remotely read interval meter at a connection point with an existing relevant metering installation for which it is the Metering Coordinator and in respect of which, at 1 December 2017, a complying remotely read interval meter had not been installed; and
  - (b) replace only a complying remotely read interval meter at a connection point with an existing relevant metering installation for which it is the Metering Coordinator at 1 December 2017 with a complying remotely read interval meter; and
  - (c) install only complying remotely read interval meters at all connection points with relevant metering installations for which it becomes the Metering Coordinator after 1 December 2017; and
  - (d) ensure that each remotely read interval meter installed under paragraph (a), (b) or (c) complies with the Specifications.
- (2) Sub-clauses (1)(a) and (b) include installing or replacing a meter in accordance with the distributor's ordinary meter replacement cycle or otherwise.
- (3) **A distributor is not required to comply with subclause (1)(a) until the relevant time if:**
- (a) **there is an inability to obtain access;** or
  - (b) there is an inability to install; or
  - (c) **there is account holder refusal.**
- (4) For subclause (3) the relevant time is the first reasonable opportunity after:
- (a) in the case of an inability to access, access to install a remotely read interval meter or to test and inspect it is available; or
  - (b) in the case of an inability to install, the physical constraint or defect in the electrical installation is remedied; or

- (c) in the case of account holder refusal, the refusal is withdrawn or access to install a remotely read interval meter is otherwise available.
- (5) Terms used in subclauses (3) and (4) that are not defined in this Order have the same meanings as in the Cost Recovery Order.

#### 7. Record keeping

- (1) Each distributor must establish and maintain records identifying the connection points with relevant metering installations:
  - (a) for which it was the responsible person immediately before 1 December 2017; and
  - (b) for which it is the Metering Coordinator on and after that date; and
  - (c) for which there is no complying remotely read interval meter.
- (2) The records must include:
  - (a) the NMI (within the meaning of the National Electricity Rules) for the metering installation; and
  - (b) the address of the premises associated with the metering installation.

#### Note:

Clauses 5, 6 and 7 are specified as ESC enforceable regulatory requirements under a Ministerial Order made under section 22A of the **National Electricity (Victoria) Act 2005**.

### Part 3 Amendment of the Specifications

#### 8. Amendment of the Specifications

- (1) The Minister may from time to time amend the Functionality Specification and the Service Levels Specification.
- (2) Before amending a Specification, the Minister:
  - (a) must provide an opportunity for each relevant licensee and the Commission to make submissions; and
  - (b) may invite submissions from other parties; and
  - (c) must take into account any submissions made under paragraphs (a) and (b).
- (3) The Minister must have regard to the following before amending a Specification:
  - (a) in the case of the Service Levels Specification, the principle that the service levels set out in the Specification should be optimised over time;
  - (b) in the case of any Specification:
    - (i) the costs and benefits of any changes to the Specification;
    - (ii) the need to allow for further AMI systems development, new capabilities and new services;
    - (iii) the time required for the implementation of any changes to the Specification including transitional arrangements;
    - (iv) opportunities for operational and cost efficiencies that may arise from the development of national metering competition;
    - (v) the ability of relevant entities to recover costs associated with the change to the Specification.
- (4) Subclause (3) does not limit the matters the Minister may have regard to before amending a Specification.
- (5) The Minister must notify each relevant licensee and the Commission of any decision to amend the Specification within 4 weeks after that decision is made.

**9. Commencement of amendment**

- (1) The Minister must determine the date of commencement of an amendment to a Specification, taking into account any submissions made under clause 8(2).
- (2) The commencement date must not be less than 4 weeks after the notice of decision is given under clause 8(5) and must be specified in the amended Specification.
- (3) The Minister must publish the amended Specification on the Department's website within 4 weeks after notice of the decision is given under clause 8(5).
- (4) A Specification takes effect as amended on the commencement date specified in the amended Specification.

**Part 4 Direction to Essential Services Commission****10. Direction to Commission to amend instruments**

The Commission must, as soon as practicable after the commencement of this Order, amend any instruments it has made to ensure that they are consistent with this Order and the Cost Recovery Order as amended by this Order.

**Part 5 Amendment of Cost Recovery Order****11. Amendment of Cost Recovery Order**

The Cost Recovery Order is amended as follows:

- (a) in clause 2.1, **insert** the following definitions (in the correct alphabetical order):  
‘**AMI (Obligations to Install Meters) Order**’ means the Advanced Metering Infrastructure (Obligations to Install Meters) Order 2017 made under sections 15A and 46D of the **Electricity Industry Act 2000** as amended from time to time.  
‘**Metering Coordinator**’ has the same meaning as it has in the National Electricity Rules.’;
- (b) in clause 2.1, in the definition of ‘AMI Specifications Order’ for ‘as amended from time to time’ **substitute** ‘as amended and in force immediately before 1 December 2017’;
- (c) in clause 2.1. for the definition of ‘AMI system’ **substitute**:  
‘**AMI system**’ means the remotely read interval meter, communications, infrastructure and all other systems required by the **AMI (Obligations to Install Meters) Order** to comply with the Specifications.’;
- (d) in clause 2.1, in the definitions of ‘Functionality Specification’ and ‘Specifications’ for ‘AMI Specifications Order’, **substitute** ‘AMI (Obligations to Install Meters) Order’;
- (e) in clause 2.1, in the definition of ‘Regulated Services’, in paragraphs (a)(iv) and (b)(iv), for ‘is the responsible person’ **substitute** ‘is the Metering Coordinator on or after 1 December 2017’;
- (f) in clause 2.1, the definition of ‘responsible person’ is **revoked**;
- (g) in clause 2.1, in the definition of ‘specification change event’ after ‘Minister’ **insert** ‘before 1 December 2017’;
- (h) in the Note to clause 2.2, for ‘the AMI Specifications Order’ **substitute** ‘the AMI (Obligations to Install Meters) Order’;
- (i) in clause 7.1(a) for ‘retailer becomes the responsible person’ **substitute** ‘retailer appoints a Metering Coordinator’;
- (j) in clauses 7.1(b), 7.2, 8.1 and 8.2 for ‘responsible person’ (wherever occurring) **substitute** ‘Metering Coordinator’;
- (k) clauses 9.5 and 9.6 are **revoked**;

- (l) clause 14 is **revoked**; and
- (m) clause 14AA is **revoked**.

**Part 6 Revocation of AMI Specifications Order**

**12. Revocation of AMI Specifications Order**

The AMI Specifications Order is revoked.

Dated 10 October 2017

Responsible Minister:

HON. LILY D'AMBROSIO MP

Minister for Energy, Environment and Climate Change

ANDREW ROBINSON  
Clerk of the Executive Council

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