

Utilities (Technical Regulation) (Light Rail Regulated Utility (Electrical) Network Boundary Code) Approval 2021

Disallowable instrument DI2021-211

made under the

Utilities (Technical Regulation) Act 2014, section 14 (Technical codes—approval)

1 Name of instrument

This instrument is the *Utilities (Technical Regulation) (Light Rail Regulated Utility (Electrical) Network Boundary Code) Approval 2021*.

2 Commencement

This instrument commences on the day after it is notified.

3 Approval

I approve the Light Rail Regulated Utility (Electrical) Network Boundary Code 2021 (the Code) as set out in the schedule.

4 Public access

Electronic copies of the Code are available on the Access Canberra website at <https://www.accesscanberra.act.gov.au/s/article/utilities-technical-regulation-tab-related-resources>. No charge will apply.

The Code is available for inspection upon request by the public between 8:30am and 4:30pm, from Monday to Friday except for public holidays, at the Access Canberra Land, Planning and Building Services Shopfront at 8 Darling Street, Mitchell. Please contact the Access Canberra Land, Planning and Building Services Shopfront on the details below for more information:

Phone 6207 1923

Email: acepdcustomerservices@act.gov.au

5 Revocation

This instrument revokes the *Utilities (Technical Regulation) (Light Rail Regulated Utility (Electrical) Network Boundary Code) Approval 2016* (DI2016-19).

Shane Rattenbury MLA
Minister for Water, Energy and Emissions Reduction
12 July 2021



Australian Capital Territory

Light Rail Regulated Utility (Electrical) Network Boundary Code

A technical code made under section 14 of the
Utilities (Technical Regulation) Act 2014

June 2021

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1 INTRODUCTION

1.1 Technical Codes

- (1) The Light Rail Regulated Utility (Electrical) Network Boundary Code (this Code) is a technical code under part 3 of the *Utilities (Technical Regulation) Act 2014* (the Act).
- (2) Under section 53 of the Act, the boundary of the electrical network of a regulated utility must be worked out in accordance with a technical code.

1.2 Regulated Utility to Comply with Technical Codes

Under section 14 of the Act, the Minister may approve a technical code as recommended by the technical regulator. If a regulated utility, which this Code applies to, fails to comply with this Code and is negligent about whether this Code is complied with, the offence provisions under section 16 of the Act may apply.

2 PURPOSE AND APPLICATION OF THIS CODE

2.1 Purpose

The purpose of this Code is to define the boundary between:

- (1) a light rail regulated utility network and an electricity distribution network; and
- (2) the light rail regulated utility network of one person and the light rail regulated utility network of any other persons, where those light rail regulated utility networks are, or are to be, connected.

2.2 Application

- (1) This Code applies to a light rail regulated utility (light rail utility) that is an operator of a light rail regulated utility network (light rail utility network).
- (2) The *Utilities (Technical Regulation) (Light Rail—Regulated Utility Service) Regulation 2016* prescribes that a light rail utility service is a regulated utility service for the Act.

2.3 Effect of Prescription of Utility

- (1) A light rail regulated utility service prescribed under section 10 of the Act is subject to the obligations, rights and entitlements under the Act, unless otherwise limited by a regulation, operating certificate or direction of the technical regulator.
- (2) Regulated utilities that provide prescribed regulated utility services must exercise functions to protect networks and facilities under part 5 of the Act. Part 5 of the Act includes criminal offences that apply to persons who unlawfully interfere with regulated utility networks and facilities.

3 DICTIONARY

The dictionary at the end of this Code is part of this Code.

4 BOUNDARIES OF LIGHT RAIL REGULATED UTILITY NETWORK

4.1 Boundary between Light Rail Regulated Utility Network and Electricity Distribution Network

- (1) The boundary between a light rail utility network and an electricity distribution network is the load side terminals of the switch in the electricity distribution network ring main unit, or other switchgear, which supplies the light rail utility.
- (2) The cable between this point and the light rail utility network incoming switchgear is part of the light rail utility network.
- (3) Despite any other clause in this Code, a light rail utility and an electricity distribution utility may, with the agreement of the technical regulator, and having advised the Independent Competition and Regulatory Commission:
 - a. agree in writing upon an alternative boundary between the relevant utility networks;
 - b. agree to any technical interfaces between the two utilities; and/or
 - c. define which assets are within each respective network.
- (4) If the light rail utility and electricity distribution utility are unable to agree on the boundary between their respective networks, then on receiving a request for a determination of the boundary from either relevant regulated utility, the technical regulator will promptly determine the boundary having regard to industry practice and any applicable standards (where this will not however limit the discretion of the technical regulator to make any such determination). The relevant regulated utilities will be bound by any determination of the technical regulator under this clause.

4.2 Boundary between Light Rail Regulated Utility Networks

- (1) The boundary between two light rail utility networks is the point agreed to by the light rail utilities whose networks are connected and notified to the technical regulator. Without limitation, the relevant light utilities may also agree on:
 - a. any technical interfaces between the two utilities; and/or
 - b. define which assets are within each respective network.
- (2) Light rail utilities must not connect their networks unless they have agreed on the boundary of their respective networks and notified the technical regulator of such agreed boundary.

- (3) If the relevant light rail utilities are unable to agree on the boundary between their respective networks, then on receiving a request for a determination of the boundary from either relevant light rail utility, the technical regulator will promptly determine the boundary having regard to industry practice and any applicable standards (where this will not however limit the discretion of the technical regulator to make any such determination). The relevant light rail utilities will be bound by any determination of the technical regulator under this clause.

DICTIONARY

- (1) **Act** means the *Utilities (Technical Regulation) Act 2014*.
- (2) **Code** means the Light Rail Regulated Utility (Electrical) Network Boundary Code.
- (3) **electricity distribution network** means an electricity network defined in section 7 of the *Utilities Act 2000* that is used to provide an electricity distribution service under section 6(a) of the *Utilities Act 2000*.
- (4) **electricity distribution utility** means a person who provides an electricity distribution utility service under section 6(a) of the *Utilities Act 2000*.
- (5) **light rail regulated utility** means a regulated utility that provides a regulated utility service prescribed by the *Utilities (Technical Regulation) (Light Rail—Regulated Utility Service) Regulation 2016* under section 10 of the Act. Under the Regulation, a light rail regulated utility is a person who provides a service that is a light rail regulated utility service. A light rail regulated utility service is the supply of electricity from a light rail regulated utility network.
- (6) **light rail regulated utility network** means infrastructure that consists of: an electricity network to supply power to rolling stock and associated infrastructure; substations and facilities to supply and regulate power to the network; and any electrical zone related to the effect of stray current or the management of the effect of electrical current, such as cathodic protection. For the avoidance of doubt, it includes rail tracks but does not include rolling stock.
- (7) **Minister** means the Minister responsible for administering the Act.
- (8) **operating certificate** means a certificate under part 6 of the Act.
- (9) **prescribed regulated utility service** means a regulated utility service prescribed under section 10 of the Act.
- (10) **regulated utility** is as defined under part 2 of the Act.
- (11) **technical code** means a code approved by the Minister under part 3 of the Act.
- (12) **technical regulator** is as defined under part 9 of the Act.