

Market Procedure

Monitoring Protocol

September 2016

Economic Regulation Authority

WESTERN AUSTRALIA

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Version History

Version	Effective Date	Summary of Changes
1.0	12 September 2006	Market Procedure for Prudential Requirements as at Market Start
2.0	17 October 2008	The Independent Market Operator made changes to the procedure resulting from PC_2008_10
3.0	19 September 2016	Amendments made under clause 1.17.1 of the Wholesale Electricity Market Rules (transitional provision) to reflect the transfer of the Independent Market Operator's compliance and enforcement functions to the Economic Regulation Authority.

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1 Monitoring Protocol

The Monitoring Protocol covers the processes by which the Economic Regulation Authority (**ERA**) will monitor Rule Participants' compliance with the *Wholesale Electricity Market Rules (Market Rules)* and Market Procedures. The Monitoring Protocol is a Market Procedure pursuant to Market Rule 2.15.7.

This Monitoring Protocol is made in accordance with Market Rule 2.15.1.

The contact details for the ERA in relation to its compliance and enforcement functions are as follows:

Phone: (08) 6557 7901

Fax: (08) 6557 7999

Email: market.compliance@erawa.com.au

Post: PO Box 8469, PERTH BC WA 6849

1.1 Interpretation

In this procedure, unless the contrary intention is expressed:

- a) terms used in this procedure have the same meaning as those given in the Market Rules (made pursuant to the *Electricity Industry (Wholesale Electricity Market) Regulations 2004*);
- b) to the extent that this procedure is contrary or inconsistent with the Market Rules, the Market Rules shall prevail to the extent of the inconsistency;
- c) a reference to the Market Rules or Market Procedures includes any associated forms required or contemplated by the Market Rules or Market Procedures;
- d) words expressed in the singular include the plural and vice versa; and
- e) the following terms have the following meanings:

“Market Regulations” means the *Electricity Industry (Wholesale Electricity Market) Regulations 2004*;

“Regulation” means a regulation in the Market Regulations.

1.2 Purpose

The purpose of the Monitoring Protocol is to:

- a) outline the ERA's processes for assessing compliance by Rule Participants with the Market Rules and Market Procedures;
- b) outline a process for Rule Participants to report alleged breaches of the Market Rules and Market Procedures;

- c) outline processes for investigating alleged breaches;
- d) specify guidelines for the ERA when issuing warnings about alleged breaches; and
- e) Specify the procedure for bringing proceedings in respect of specified Market Rule breaches before the Energy Review Board.

1.3 Overview of the Monitoring Protocol

Pursuant to the Market Rules, the ERA monitors the behaviour of Rule Participants for compliance with the Market Rules and Market Procedures. The ERA is required to develop a monitoring protocol to outline how it implements this obligation.

In addition, the Market Rules require The Australian Energy Market Operator (**AEMO**) to develop and implement a Monitoring and Reporting Protocol and seek approval of the ERA for that Monitoring and Reporting Protocol (Market Rule 2.15.6A). These additional protocols are outside the scope of this procedure. This procedure does not include any protocols for the ERA monitoring the effectiveness of the Market.

1.4 Monitoring compliance by Rule Participants

- 1.4.1 The ERA is required to monitor Rule Participants' compliance with the Market Rules and Market Procedures. (Market Rule 2.13.2) The ERA is required to have processes and systems in place to enable it to monitor Rule Participants' behaviour. (Market Rule 2.13.3).
- 1.4.2 In addition to its own monitoring activities, the ERA has a reporting relationship with AEMO. (Market Rules 2.13.8 and 2.13.9C) This reporting relationship is outlined in a separate Market Procedure, Monitoring and Reporting Protocol.

1.5 Reporting Compliance by AEMO

- 1.5.1 The ERA must provide to the Minister a report on AEMO's compliance with the Market Rules and Market Procedures annually following the process outlined in Market Rules 2.14.5B to 2.14.5D. The report will contain:
 - a) results of any audits performed; and
 - b) results of any investigations undertaken.
- 1.5.2 AEMO has the discretion to determine if the report outlined in Step 1.5.1 should be deemed a Public Report for the purpose of its confidentiality status. In determining the publication status of the report, AEMO will consider the Wholesale Market Objectives outlined in Market Rule 1.2.1.

1.6 Non-compliance Reporting by Rule Participants

- 1.6.1 In addition to its own monitoring, the ERA may also be notified of compliance issues by:
- a) a Rule Participant discovering its own non-compliant behaviour. The non-compliant Rule Participant may:
 - voluntarily report themselves to the ERA.
 - be required to provide information to the ERA, under the Market Rules or Market Procedures, that reports or evidences the non-compliant behaviour;
 - b) a Rule Participant discovering non-compliant behaviour by another Rule Participant. A Rule Participant may inform the ERA, in writing, if it considers that another Rule Participant is in breach of the Market Rules or Market Procedures and may also provide evidence of the breach. (Market Rule 2.13.4)
- 1.6.2 Where AEMO (including in its function as System Management) considers that another Rule Participant has breached the Market Rules or Market Procedures, it must notify the ERA of the alleged breach, in writing, on discovery of the non-compliant behaviour.
- 1.6.3 The notification should contain:
- a) the name of the Rule Participant and contact details for the person responsible for the notification;
 - b) the name of the Rule Participant who is alleged to have breached the Market Rules or Market Procedures;
 - c) the specific clauses in the Market Rules or Market Procedures alleged to have been breached;
 - d) the dates and times on which the alleged breach occurred;
 - e) a description of the reasons that the notifying Rule Participant has for considering a breach may have taken place, including any evidence of the potential breach; and
 - f) if the breach is by the notifying Rule Participant, a description of the reasons for the breach, including any mitigating circumstances and any proposed remedies.
- 1.6.4 The contact details for reporting any alleged breaches of the Market Rules or the Market Procedures to the ERA are as follows:
- Phone: (08) 6557 7901
- Fax: (08) 6557 7999
- Email: market.compliance@erawa.com.au
- Post: PO Box 8469, PERTH BC WA 6849

- 1.6.5 The ERA will record the alleged breach of the Market Rules or Market Procedures in its Compliance Monitoring Register.
- 1.6.6 The ERA will provide a letter of acknowledgement to the notifying Rule Participant within three business days of receipt of any written notification of non-compliant behaviour.
- 1.6.7 Under most circumstances the ERA will notify the Rule Participant alleged to be non-compliant. The notification will set out:
- a) that the Rule Participant is alleged to have committed a breach;
 - b) a summary of the alleged non-compliant behaviour; and
 - c) a contact person at the ERA to discuss the matter and processes.
- 1.6.8 However, the ERA has the discretion not to provide such notification if the ERA reasonably believes that doing so would prejudice an investigation.
- 1.6.9 The ERA will not disclose to the Rule Participant alleged to have committed the breach the identity of the Rule Participant notifying the non-compliant behaviour.
- 1.6.10 Where the notification by a Rule Participant results in an ERA decision regarding the potential rule breach, including bringing proceedings before the Energy Review Board, the ERA will inform the Rule Participant of the decision in accordance with Section 1.10 of this protocol.

1.7 Compliance Monitoring Register

- 1.7.1 The ERA will maintain a Compliance Monitoring Register. (Market Rule 2.13.10)
- 1.7.2 The ERA must record in the Compliance Monitoring Register:
- a) any potential breaches of the Market Rules and Market Procedures that it identifies through its own monitoring activities;
 - b) any potential breaches of the Market Rules and Market Procedures that AEMO (including in its function as System Management) identifies through its monitoring activities; and
 - c) any potential breaches of the Market Rules and Market Procedures notified by any other Rule Participant in accordance with section 1.5 of this protocol.
- 1.7.3 The Compliance Monitoring Register will contain:
- a) a unique identifier for each potential breach of the Market Rules or Market Procedures;
 - b) the status of the potential breach of the Market Rules or Market Procedures – whether it is still under investigation, whether the ERA or the Energy Review Board has come to any decisions;
 - c) the Rule Participant potentially in breach of the Market Rules or Market Procedures;

- d) the date when the potential breach was notified;
- e) the Rule Participant who identified the potential breach, including contact details;
- f) the specific clauses in the Market Rules or Market Procedures alleged to have been breached;
- g) the dates and times on which the alleged breach occurred;
- h) records of any investigation activities carried out concerning the potential breach, including meetings with the Rule Participant or other parties, information collected and equipment inspected;
- i) a catalogue of information collected about the potential breach, including the circumstances surrounding the potential breach and evidence confirming or refuting the potential breach;
- j) records of any findings the ERA may have as to whether it is reasonable to believe non-compliant behaviour took place;
- k) records of any warnings issued by the ERA to the Rule Participant, including any Rule Participant response;
- l) records of ERA decisions concerning Category A decisions, including penalties and orders given;
- m) records of ERA decisions to take Category B or C breaches to the Energy Review Board and the decision of the Energy Review Board, including penalties and orders given; and
- n) records of Rule Participant compliance with any decisions of the ERA or the Energy Review Board concerning a breach of the Market Rules or Market Procedures.

1.8 Investigating Alleged Breaches

- 1.8.1 On becoming aware of an alleged breach of the Market Rules or Market Procedures, the ERA is required to investigate the behaviour at issue. (Market Rule 2.13.10)
- 1.8.2 Where the ERA considers that an alleged breach notified by a Rule Participant relates to a matter already under investigation, the ERA may join the two investigations.
- 1.8.3 Where the ERA considers that an alleged breach notified by a Rule Participant has already been investigated, and the notification does not give rise to any new information or factors to justify further investigating the matter, the ERA may have regard to the previous investigation and not investigate the matter further.
- 1.8.4 Where an alleged breach notified by a Rule Participant relates to a matter in which the ERA has already concluded that no breach occurred, the ERA may

- have regard to its previous decision, and the factors giving rise to it, and not reopen the matter.
- 1.8.5 The purpose of Steps 1.8.3 to 1.8.4 is to prevent the ERA having to reinvestigate previously settled matters.
- 1.8.6 In conducting investigations, the ERA has the power to:
- a) require information and records from Rule Participants, including searching premises; and
 - b) inspect Rule Participants' equipment.
 - c) (Regulations Part 5, Division 2; Market Rule 2.13.12).
- 1.8.7 Where the ERA requires information, it may make a request by email, facsimile or post to the person nominated as the contact for the Rule Participant. The ERA will indicate a reasonable timeframe in which it considers any required information and records should be provided.
- 1.8.8 Where the ERA decides that, in the course of its investigation, it needs to search the Rule Participant's premises for documents or records or to inspect the Rule Participants' equipment, it must follow the requirements set out Part 5, Division 2 of the Market Regulations. These relate to:
- a) an officer or employee of the ERA as authorised persons, in accordance with Regulation 23;
 - b) application for search warrants, in accordance with Regulation 24;
 - c) announcements before entry, in accordance with Regulation 25;
 - d) giving details of the warrant to the occupier, in accordance with Regulation 26; and
 - e) provision of copies of seized documents, in accordance with Regulation 27; and retention and return of seized documents, in accordance with Regulation 28.
- 1.8.9 Rule Participants must cooperate with ERA investigations, including providing information and records in a timely manner and allowing reasonable access to equipment as requested. (Market Rule 2.13.13)
- 1.8.10 In the event that a Rule Participant does not cooperate with an ERA investigation, the ERA may appoint an independent person to investigate the matter and to provide a report or other documentation as required. The Rule Participant under investigation is liable for the costs, unless the ERA otherwise determines, and must assist the person undertaking the investigation. (Market Rule 2.13.14)
- 1.8.11 The ERA may meet with the Rule Participant on one or more occasions to discuss the alleged breach and avenues for rectifying it. (Market Rule 2.13.11)

Where the ERA is of the view that the potential breach of the Market Rules or Market Procedures is ongoing and serious, it will urgently seek such a meeting.

- 1.8.12 At the conclusion of its investigation, the ERA will record in its Compliance Monitoring Register whether it considers, given the evidence available, a breach of the Market Rules or Market Procedures has taken place.

1.9 Warnings

- 1.9.1 Where the ERA reasonably believes that non-compliant behaviour has taken place, it may issue a warning to the Rule Participant.
- 1.9.2 The warning will be issued within two Business Days of the completion of the investigation.
- 1.9.3 The warning will be in writing and set out:
- a) the specific clause or clauses of the Market Rules or Market Procedures that are believed to have been breached;
 - b) a full description of the behaviour considered to be non-compliant;
 - c) a request for an explanation; and
 - d) a request to rectify the behaviour at issue, including a timeframe that the ERA considers to be reasonable to accomplish the request.
- 1.9.4 The ERA may provide the warning by e-mail, facsimile or post to the person nominated as the contact for the Rule Participant.
- 1.9.5 The Rule Participant may request a meeting with the ERA to discuss the alleged breach and proposed resolutions. The ERA will not unreasonably refuse such a meeting.
- 1.9.6 The Rule Participant is required to provide the explanation requested in the warning within five Business Days of receipt of the warning. The explanation is required to be in writing and may be provided to the ERA by e-mail, facsimile or post. The ERA may extend this timeframe, at the request of the Rule Participant, by providing confirmation in writing.
- 1.9.7 On receipt of a response by the Rule Participant to the ERA warning, the ERA will record this in the Compliance Monitoring Register. (Market Rule 2.13.10)

1.10 ERA Decisions

- 1.10.1 Pursuant to the Regulation 30 of the Market Regulations, certain Market Rules have been deemed “civil penalty provisions.” In Schedule 1 to the Market Regulations, these provisions have been allocated a category (A, B or C) and maximum penalty amounts payable for breach. The table at Appendix A provides the category allocated to the respective Market Rules provisions.

Category A Provisions

- 1.10.2 The ERA decides if a breach of a Category A provision has occurred. (Market Rule 2.13.15) In making its decision, the ERA will take into account:
- a) the results of its investigation as outlined in Section 1.8 above; and
 - b) the Rule Participant's response to an ERA warning, if any, as outlined in Section 1.9 above.
- 1.10.3 If the ERA decides that a breach has not occurred, the ERA will notify the Rule Participant and the complainant, if any, of its decision. (Market Rule 2.13.16)
- 1.10.4 If the ERA decides that a breach has occurred, the ERA may, but is not required to, issue a penalty notice in accordance with the Market Regulations. (Market Rule 2.13.16)
- 1.10.5 Instances where the ERA may decide not to issue a penalty notice include isolated instances or accidental breaches, especially where action has been taken to rectify the breach and prevent a re-occurrence.
- 1.10.6 A Rule Participant issued with a penalty notice may seek review by the Energy Review Board, in accordance with the Market Regulations, of the ERA's decision. (Market Rule 2.13.17)
- 1.10.7 In accordance with Regulation 31, within 28 days of receiving a penalty notice a Rule Participant must:
- a) pay the penalty to AEMO; or
 - b) apply to the Energy Review Board for review.
- 1.10.8 In accordance with Regulation 37, any penalty payments received by AEMO must be distributed in accordance with the Market Rules. If the Market Rules do not provide for distribution of civil penalty amounts, the penalty payments will be credited to the Consolidated Fund.

Category B and C Provisions

- 1.10.9 The ERA may decide that a breach of a Category B or Category C provision has not occurred. In making its decision, the ERA will take into account:
- a) the results of its investigation as outlined in Section 1.8 above; and
 - b) the Rule Participant's response to an ERA warning, if any, as outlined in Section 1.9 above

- 1.10.10 If the ERA decides that a breach has not occurred, the ERA will notify the Rule Participant and the complainant, if any, of its decision.
- 1.10.11 If the ERA, after conducting an investigation, reasonably believes that a breach of the Market Rules has occurred, the ERA may, but is not required to, bring proceedings before the Energy Review Board. (Market Rule 2.13.18)
- 1.10.12 The Energy Review Board is able to order civil penalties for contravention of the Market Rules, pursuant to Regulation 33.

1.11 ERA Reports of Monitoring Activities

- 1.11.1 The ERA is required to release a report at least every six months which provides a summary of:
- a) proceedings brought before the Energy Review Board, including any findings and orders by the Board; and
 - b) Penalty Notices issued by the ERA for Category A breaches unless the ERA's decision has been set aside by the Energy Review Board.
- (Market Rule 2.13.26)
- 1.11.2 The ERA may, but is not required to, release a report on:
- a) any one or more matters concerning Category A provisions for which the ERA issued a penalty notice; or
 - b) any one or more matters that have been referred to the Energy Review Board, including the findings of the ERA and/or the Energy Review Board, as applicable, and any sanctions imposed by the ERA or the Energy Review Board.
- 1.11.3 Where any significant incidents arise the ERA has the discretion to:
- a) publish a report set out in Step 1.11.1 in less than six months following its previous report; and
 - b) publish a report set out in Step 1.11.2,
- 1.11.4 Publication and circulation of the reports outlined in Steps 1.11.1 and 1.11.2 will be in accordance with clauses 2.13.27 and 2.13.31 of the Market Rules.
- 1.11.5 Claims of confidentiality of information, in relation to information that may be published in the reports set out in Steps 1.11.1 and 1.11.2, are to be considered by the ERA in accordance with Market Rule 10.2 which sets out information confidentiality status and its classes. (Market Rule 2.13.30)

Appendix A - Categories of Rule Breaches and the Primary Mechanisms to Identify the Breaches

To the extent that this Appendix A and the Market Regulations are inconsistent, the Market Regulations prevail.

Clause	Penalty class	Description	Proposed monitoring
2.13.13	B	Participant must cooperate with an investigation including providing information and allowing access	ERA will monitor whether participant cooperates
2.13.14(a)	B	Participant must cooperate with investigation by person appointed by the ERA with regard to possible rule breach	The person investigating will report to the ERA
2.13.25	B	Participant must comply with ERA direction giving effect to ERB decision	ERA will follow up to confirm directions are complied with
2.16.6(b)	B	Participants must provide information to ERA	The ERA to monitor
2.29.6	C	Participant must ensure that scheduled generator is able to respond to System Management output directions	AEMO (in its function as System Management) can notify the ERA where it considers that the equipment is not compliant
2.29.7	C	Participant must ensure that non-scheduled generator is able to decrease output on System Management instruction	AEMO (in its function as System Management) can notify the ERA where it considers that the equipment is not compliant
2.29.8	B	Participant must ensure that dispatchable load is able to respond to System Management output directions	AEMO (in its function as System Management) can notify the ERA where it considers that the equipment is not compliant
2.30C.4	B	Participant must provide additional standing data if requested by AEMO	Monitored by AEMO

Clause	Penalty class	Description	Proposed monitoring
2.31.9	B	Networks must cooperate with registration tests for a facility	AEMO can record as it carries out registration process for facilities
2.32.4(a)	C	Participant must comply with suspension notice	Monitored by AEMO
2.34.2	B	Participant must ensure standing data kept accurate	Monitored by AEMO (in its function as System Management)
2.34.3	B	Participant must ensure standing data kept accurate	Monitored by AEMO (in its function as System Management)
2.34.6	B	Participant must provide additional data to support standing data change if requested	Monitored by AEMO
2.35.1	A	Participants must maintain communication equipment with facilities	AEMO (in its function as System Management) can notify the ERA where it considers that the equipment is not compliant
2.35.2	A	Participants must maintain communication equipment with facilities	AEMO (in its function as System Management) can notify the ERA where it considers that the equipment is not compliant
2.35.3	A	Participants must maintain communication equipment with facilities	AEMO (in its function as System Management) can notify the ERA where it considers that the equipment is not compliant
2.36.3	A	Participants must meet AEMO's IT security standards	Monitored by AEMO
2.36.4	C	Participant may not operate IT system to deliberately undermine market systems	Monitored by AEMO

Clause	Penalty class	Description	Proposed monitoring
2.38.1	B	Participant must provide credit support	Monitored by AEMO
2.38.2	B	Participant must provide credit support	Monitored by AEMO
2.38.3	B	Participant must provide credit support	Monitored by AEMO
2.41.2	B	Participant must not make submission which could result in exceeding its trading margins	Monitored by AEMO
2.42.4	C	Participant must respond to margin call	Monitored by AEMO
2.44.4	C	Participants must comply with directions given by the ERA or AEMO during market suspension	Monitored by the ERA and AEMO
3.4.6	C	Participants must comply with System Management directions and endeavour to assist System Management during high risk operating state	Monitored by AEMO (in its function as System Management)
3.4.8	C	Participant must immediately inform System Management if cannot comply with direction	Monitored by AEMO (in its function as System Management)
3.5.8	C	Participants must comply with System Management directions and endeavour to assist System Management during emergency operating state	Monitored by AEMO (in its function as System Management)
3.5.10	C	Participant must immediately inform System Management if cannot comply with direction	Monitored by AEMO (in its function as System Management)

Clause	Penalty class	Description	Proposed monitoring
3.6.5	C	Networks must implement load shedding plans	Monitored by AEMO (in its function as System Management)
3.6.6B	C	Networks must comply with manual disconnection instructions from System Management	Monitored by AEMO (in its function as System Management)
3.8.2(c)	B	Participants must supply reports on system incidents to AEMO	Monitored by AEMO
3.11.7A	C	EGC must make capacity available to System Management to provide ancillary services	Monitored by AEMO (in its function as System Management)
3.16.4	B	Participants must provide MTPASA information	Monitored by AEMO (in its function as System Management)
3.16.7	B	Participants must provide MTPASA information	Monitored by AEMO (in its function as System Management)
3.16.8A	B	Participants must provide additional MT-PASA information requested by System Management within the specified timeframes	Monitored by AEMO (in its function as System Management)
3.17.5	C	Participants must provide STPASA information	Monitored by AEMO (in its function as System Management)
3.17.6	C	Participants must update STPASA information if it changes	Monitored by AEMO (in its function as System Management)
3.18.7	C	Outage plans submitted by participants must represent good faith expectations	AEMO (in its function as System Management) can notify the ERA where it considers that the outage planning provisions have been breached

Clause	Penalty class	Description	Proposed monitoring
3.18.8	C	Participant must revise outage plan if it no longer plans to take equipment out of service	AEMO (in its function as System Management) can notify the ERA where it considers that the outage planning provisions have been breached
3.18.9	C	Participant must revise outage plan if time changes	AEMO (in its function as System Management) can notify the ERA where it considers that the outage planning provisions have been breached
3.18.13(d) (i)	C	Participants and networks resubmit outage plans after negotiation in case of schedule clash	AEMO (in its function as System Management) can notify the ERA where it considers that the outage planning provisions have been breached
3.19.1	C	Participant and networks must request approval for outage two days in advance	AEMO (in its function as System Management) can notify the ERA where it considers that the outage planning provisions have been breached
3.19.8	C	Participant and networks must comply with System Management rejection of outage	AEMO (in its function as System Management) can notify the ERA where it considers that the outage planning provisions have been breached
3.20.2	C	Participant and networks must comply with System Management recall from outage	AEMO (in its function as System Management) can notify the ERA where it considers that the outage planning provisions have been breached
3.21.4	C	Participant and networks must inform System Management of forced outage	AEMO (in its function as System Management) can notify the ERA where it considers that the outage planning provisions have been breached

Clause	Penalty class	Description	Proposed monitoring
3.21A.2	C	Participant seeking to conduct a commissioning test must request permission from System Management	Monitored by AEMO (in its function as System Management)
3.21A.6	C	Participant that no longer plans to conduct commissioning test must inform System Management	Monitored by AEMO (in its function as System Management)
3.21A.12	C	Participant must conform to the approved commissioning test plan	Monitored by AEMO (in its function as System Management)
3.21A.13(a)	C	Participant that cannot conform to the approved commissioning test plan must inform System Management	Monitored by AEMO (in its function as System Management)
3.21B.1	C	Participant must seek permission from System Management before decommissioning a scheduled generator holding capacity credits	Monitored by AEMO (in its function as System Management)
3.21B.2	C	Permission under 3.21B.1 must be sought at least 2 hours in advance and specified information must be provided	Monitored by AEMO (in its function as System Management)
4.5.4	C	Participants provide LT-PASA information to AEMO	Monitored by AEMO
4.27.5	B	Participants must provide reports to AEMO on expected planned outages where RC of market underperforming	Monitored by AEMO
6.5.1A	B	Generator and Dispatchable Load Participants must make Resource Plan submission	Monitored by AEMO

Clause	Penalty class	Description	Proposed monitoring
6.6.3	C	Generator must not offer prices that do not reflect its reasonable expectation of short run marginal cost	Monitored by AEMO and the ERA
6.7.3	C	Generator must not specify quantities in a bilateral submission that exceed the quantity of energy it is contracted to supply	Monitored by AEMO and the ERA
6.7.4	C	Customer must not overstate consumption as indicated by its net contract position that cannot be explained by forecasting or loss factors	Monitored by AEMO and the ERA
6.19.9	B	Participants, networks and System Management must inform AEMO of events that could result in Market Advisory	After the fact AEMO may assess whether any participant could have reasonably known about the circumstances and informed it
7.5.5	C	Participant may only issue fuel change notification where it has lost or obtained non-liquid fuel supply	Monitored by AEMO (in its function as System Management)
7.6A.2(g)	C	EGC must notify System Management if it unable to comply with a dispatch plan	Monitored by AEMO (in its function as System Management)
7.6A.3(c)	C	EGC must notify System Management if it unable to comply with a dispatch instruction	Monitored by AEMO (in its function as System Management)
7.6A.5(e)	B	EGC and System Management must make records available to the ERA on request	Monitored by the ERA
7.6A.6	B	EGC and System Management must keep all records created by rule 7.6A	Monitored by the ERA

Clause	Penalty class	Description	Proposed monitoring
7.9.1	C	Participant must confirm with System Management synchronisation of generating units in advance	AEMO (in its function as System Management) can notify the ERA where it considers that the synchronisation and desynchronisation provisions have been breached
7.9.3	C	Participant must coordinate with System Management synchronisation of generating units where requested	AEMO (in its function as System Management) can notify the ERA where it considers that the synchronisation and desynchronisation provisions have been breached
7.9.5	C	Participant must confirm with System Management desynchronisation of generating units in advance	AEMO (in its function as System Management) can notify the ERA where it considers that the synchronisation and desynchronisation provisions have been breached
7.9.7	C	Participant must coordinate with System Management desynchronisation of generating units where requested	AEMO (in its function as System Management) can notify the ERA where it considers that the synchronisation and desynchronisation provisions have been breached
7.9.9	C	Participant must comply with System Management permissions on synchronisation	AEMO (in its function as System Management) can notify the ERA where it considers that the synchronisation and desynchronisation provisions have been breached
7.9.10	C	Participant must comply with System Management permissions on desynchronisation	AEMO (in its function as System Management) can notify the ERA where it considers that the synchronisation and desynchronisation provisions have been breached
7.9.12(a)	C	Participant must inform System Management where	AEMO (in its function as System Management) can

Clause	Penalty class	Description	Proposed monitoring
		it cannot comply with System Management desynchronisation rejection	notify the ERA where it considers that the synchronisation and desynchronisation provisions have been breached
7.10.1	C	Participant must comply with resource plan, dispatch instructions or directions from System Management	Monitored by AEMO (in its function as System Management)
7.10.3	C	Participant must inform System Management where it cannot comply	Monitored by AEMO (in its function as System Management)
7.10.6A(a)	C	Participant that cannot comply with a request to provide an explanation dispatch instruction must notify System Management	Monitored by AEMO (in its function as System Management)
7.11.7	C	Participants and networks must comply with System Management directions in dispatch advisory	Monitored by AEMO (in its function as System Management)
7.11.9	C	Participants, networks and the ERA must inform System Management of events that could result in Dispatch Advisory	After the fact AEMO (in its function as System Management) may assess whether any participant could have reasonably known about the circumstances and informed it
8.1.3	B	Metering Data Agent must operate to metering protocol	AEMO will record where its interactions with the Metering Data Agent lead it to believe the Metering Data Agent is not operating to the protocol (e.g. the process for missing data is not operating), and participants can also notify the ERA
8.3.1	B	Metering Data Agent must maintain meter registry	Participants can notify to the ERA where they do not consider that the Metering Data Agent is meeting the meter registry requirements

Clause	Penalty class	Description	Proposed monitoring
8.3.3	B	Metering Data Agent must respond to AEMO information request related to facility registration	Monitored by AEMO
8.3.5	B	Metering Data Agent must inform AEMO of changes in participants at meters	Participants can notify to the ERA where they do not consider that the Metering Data Agent is meeting the protocol requirements
8.4.1	B	Metering Data Agent must provide meter information on schedule	Monitored by AEMO
8.5.2	B	Metering Data Agent must respond to AEMO notification of metering dispute	Monitored by AEMO
8.8	B	Metering Data Agent must provide meter data requested by AEMO for purposes of rules	Monitored by AEMO
9.1.2(e)	B	Participants must assist AEMO to produce necessary tax invoices etc.	Monitored by AEMO
9.3.2	B	Metering Data Agent must provide settlement ready meter data to AEMO	Monitored by AEMO
9.22.5	B	Participants must use EFT mechanism	Monitored by AEMO
9.23.3	B	Participant must inform AEMO if a suspension event happens to it (e.g. bankruptcy, losing its licence)	Monitored by the ERA and AEMO
9.24.7	C	Participant must pay AEMO settlement amount in full by due time	Monitored by AEMO

Clause	Penalty class	Description	Proposed monitoring
10.1.2	B	Participants must retain information	This will primarily be detected as part of any other investigation under the rules, where it is revealed the participant's records are not adequate
10.2.4	B	Participants cannot release confidential information	The affected participant can notify the ERA