

# TasNetworks Ring-fencing Information Sharing Protocol

September 2023



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Document control				
Date	Version	Description	Author	Approved by
June 2021	2.0	Major revision from original version	Regulation Analyst	Leader
June 2022	2.1	Minor changes to reflect changes in AER Guideline v3	Team Leader	Leader
August 2023	2.2	Minor changes to reflect amendments to Transmission Guideline	Specialist	Leader
September 2023	2.3	Minor changes to improve wording	Regulatory Analyst	Specialist

## Purpose

TasNetworks has access to certain information due to its position as a monopoly service provider of electricity network services. Subject to privacy concerns, there may be opportunities for TasNetworks to make some information available to the market that would facilitate the development of competitive markets.

This document, the TasNetworks Ring-fencing Information Sharing Protocol, sets out the process through which TasNetworks is able to share information pursuant to clause 4.3.3 of the Australian Energy Regulator's (AER's) Distribution Ring-fencing Guideline (**Distribution Guideline**) and 4.2.3 of the AER's Transmission Ring-fencing Guideline (**Transmission Guideline**). The Guidelines can be found on the [AER's website](#).

## Definitions

Terms	Definition
AER	Australian Energy Regulator
DNSP	Distribution Network Service Provider
legal entity	A natural person, a body corporate (including a statutory corporation or public authority), a partnership, or a trustee of a trust, but excludes staff in their capacity as such.
RESP	related electricity service provider For TasNetworks this includes 42-24 and TasNet Connect.
TNSP	Transmission Network Service Provider

## What information will be available?

### Disclosure of information under the Guideline

Pursuant to clause 4.3 of the Distribution Guideline and clause 4.2 of the Transmission Guideline, TasNetworks must not disclose ring-fenced information to any person, including a related electricity service provider (**RESP**), unless:

- a. we have first obtained the explicit informed consent from the relevant customer, or prospective customer, to whom the ring-fenced information relates;
- b. the disclosure is required by, or for the purpose of complying with any law;
- c. the disclosure is necessary to enable TasNetworks to provide its distribution services, its transmission services or its other services (including by acquiring services from other legal entities);
- d. the information has been requested by or on behalf of a customer, or potential customer, of another legal entity, and the disclosure is necessary to enable the legal entity to provide its transmission services, contestable electricity services or other services to the customer or potential customer;
- e. the disclosure is solely for the purpose of providing assistance to another Network Service Provider to the extent necessary to respond to an event (such as an emergency) that is beyond the other Network Service Provider's reasonable control;
- f. the disclosure is solely for the purposes of research by a legal entity other than a RESP of

- TasNetworks;
- g. a RESP of TasNetworks has requested the disclosure and TasNetworks complies with the requirements for the sharing of information<sup>1</sup> in relation to that ring-fenced information (as covered in Section 3.2 below); or
  - h. another legal entity, other than a RESP of TasNetworks, has requested the disclosure.

## Access to information

TasNetworks must provide legal entities with equal access to ring-fenced information (including derived information), where:<sup>2</sup>

- TasNetworks has provided that ring-fenced information to a RESP or where the ring-fenced information that TasNetworks has disclosed for the purposes of research by a legal entity other than a RESP of TasNetworks<sup>3</sup> is then disclosed by any person to a RESP of TasNetworks; and
- the legal entity is:
  - included on our information register in respect of that particular kind of ring-fenced information; and
  - competing, or seeking to compete, with TasNetworks or our RESP in relation to the provision of contestable electricity services.

From the perspective of TasNetworks, ring-fenced information is defined to be electricity information that:<sup>4</sup>

- a. is acquired or generated by TasNetworks in connection with its provision of direct control services for distribution customers or prescribed transmission services for transmission customers,
- b. is not already publicly available, and
- c. includes information that:
  - i. TasNetworks derives from the information; or
  - ii. is provided to TasNetworks by or in relation to a customer or prospective customer of direct control services for distribution customers or prescribed transmission services for transmission customers.

Ring-fenced information does not include aggregated financial information, or other service performance information, that does not relate to an identifiable customer, or class of customer.

## The TasNetworks information register

The [TasNetworks information register](#) has been set up and is publicly available through our website (in accordance with clause 4.3.4(a) of the Distribution Guideline and clause 4.2.4(a) of the Transmission Guideline).

The TasNetworks information register contains details of all valid requests for ring-fenced information made by RESPs and other legal entities who provide contestable electricity services. TasNetworks will provide access to the relevant ring-fenced information to those legal entities

<sup>1</sup> Clause 4.3.3 of the Distribution Guideline or Clause 4.2.3 of the Transmission Guideline.

<sup>2</sup> Clause 4.3.3 of the Distribution Guideline or Clause 4.2.3 of the Transmission Guideline.

<sup>3</sup> Clause 4.3.2(f) of the Distribution Guideline or Clauses 4.2.2(f) and (h) of the Transmission Guideline.

<sup>4</sup> Clause 1.4 of the Distribution and Transmission Guidelines.

included on the TasNetworks information register.

The TasNetworks information register records:

- a. the names of RESPs that TasNetworks has shared ring-fenced information with;
- b. the names of entities that request access to ring-fenced information that we shared with our RESP; and
- c. the kind of ring-fenced information and description of the information that each entity has requested.

## Inclusion on the TasNetworks information register and requesting information

To access ring-fenced information through the TasNetworks information register, legal entities can request:

- to be included on the [TasNetworks information register](#) with respect to all or specific kinds of information; and/or
- request access to information that has been identified on the TasNetworks information register.

To do either of the above you must apply by emailing:

- a completed [TasNetworks Information Register Application Form](#); and
- a completed and signed [Information Sharing Deed Poll](#), outlining terms and conditions relating to the use, storage and disclosure of any information TasNetworks shares with you to [regulation@tasnetworks.com.au](mailto:regulation@tasnetworks.com.au).

By submitting the application to TasNetworks, you agree that the details of your application will become publicly available on the TasNetworks information register. Click here to view [TasNetworks' Privacy Policy](#).

### Reviewing the information request

TasNetworks will assess that the Distribution and Transmission Guidelines' requirements are met for disclosure of the ring-fenced information that is being requested.

In reviewing your request, TasNetworks will take into consideration:

- d. the information that is being requested is considered ring-fenced information, within the meaning of the Guidelines; and
- e. whether TasNetworks is satisfied that the legal entity is competing, or seeking to compete with TasNetworks or any of TasNetworks' RESPs, in relation to the provision of contestable electricity services.

We will include your details on the TasNetworks information register as soon as reasonably practicable. The date we receive your complete email application will be taken to be the date you are registered with us. We may contact you to seek clarification of your application, particularly regarding the kind of information that you are seeking.

### Provision of information

Prior to ring-fenced information being provided, you will be required to agree to terms and conditions of access. The terms and conditions will include requirements to comply with the Guidelines, including their confidentiality restrictions.

Entry on the TasNetworks information register does not automatically qualify for access to all ring-fenced information. Only when TasNetworks provides a RESP ring-fenced information of the kind you have identified an interest in, is TasNetworks under an obligation to provide that information to you.

In accordance with our obligations under the Guideline, if your request is approved and the relevant conditions are met, we will share the information with you and all other interested parties and make this clear on our website.

## **Changes to the TasNetworks information register**

If the event that you need to amend your information on the TasNetworks information register, we request that you please send an email to [regulation@tasnetworks.com.au](mailto:regulation@tasnetworks.com.au) outlining the information that needs to be changed.

To be removed from the TasNetworks information register, please send an email to [regulation@tasnetworks.com.au](mailto:regulation@tasnetworks.com.au) asking to be removed from the TasNetworks information register.

## **Contact**

For further information in relation to TasNetworks information sharing protocol or TasNetworks information register, please email: [regulation@tasnetworks.com.au](mailto:regulation@tasnetworks.com.au).