



Attachment 9: Network access

Revised access arrangement information

ACT and Queanbeyan-Palerang gas network
access arrangement 2026–31

Submission to the Australian Energy Regulator

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1. Changes to the access arrangement 2026–31

Evoenergy proposes to make additional amendments to its 2021–31 access arrangement. These changes reflect the AER’s draft decision, or reflect new information, regulatory arrangements or circumstances. The changes to the access arrangement either replace, or are in addition to the changes set out in our initial 2026 access arrangement proposal¹. Key amendments include:

- establishing the amended tariff structure for the Volume Individual (VI), Volume Boundary (VB) and Demand tariffs, as required by the AER’s draft decision (see Attachment 7: Transportation (including metering) reference tariffs),
- amending the Transportation (including metering) reference service tariff variation mechanism (TVM) to reflect the proposed hybrid TVM design, as required by the AER’s draft decision (see Attachment 8: Transportation (including metering) reference tariffs),
- amending the Ancillary activities reference service TVM as required by the AER’s draft decision (see Attachment 8: Ancillary activities reference service and tariffs),
- including a tax change event and providing for network decommissioning under a regulatory change event, and
- removing wasted visits from basic and basic (urgent) permanent disconnection services and clarifying the circumstances under which wasted visit charges will apply to special meter reads, temporary disconnections and reconnection services (see Attachment 8: Ancillary activities reference service and tariffs).

Proposed changes to the access arrangement are set out in Table 1 and marked up in Appendix D: Marked up access arrangement 2026–31. Changes made to reflect this revised proposal are shown in yellow in the marked up version. A clean version is provided at Attachment C.

Responses to the revisions to the access arrangement required by the AER’s draft decision are set out in Attachment G: Responses to the AER’s required revisions.

1.1 Pass through events

1.1.1 Tax change event

Evoenergy proposes to include in its revised access arrangement 2026–31 a cost pass through for tax change events. The proposed definition is largely consistent with pass through regimes accepted by the AER for other distributors, including most recently Jemena Gas Networks.² Evoenergy’s proposes to define the occurrence of tax change event as:³

Tax Change Event occurs if:

- a) Any of the following occur during the course of the Access Arrangement Period:

¹ Evoenergy (2025). Appendix 10.3: Table of reasons for changes to the access arrangement, June.

² AER (2025). Jemena Gas Networks 2025–30 – final decision – Access Arrangement, May.

³ Attachment C: Access arrangement 2026–31-clean-January 2026, schedule 1.

- i. A change in a Relevant Tax, in the application of official interpretation of a Relevant Tax, in the rate of a Relevant Tax, or in the way a relevant tax is calculated;
 - ii. The removal or a Relevant Tax;
 - iii. The imposition of a Relevant Tax; and
- b) As a consequence, the costs to Evoenergy of providing Reference Services are materially increased or decreased.

For the avoidance of doubt, Evoenergy maintains that jurisdictional taxes and levies should be treated as category-specific costs in our opex forecast and the inclusion of the tax change cost pass through event in our access arrangement 2026–31 does not prejudice that view (see Attachment 5: Operating expenditure).

1.1.2 Regulatory change event

The ACT Government has committed to commence phased decommissioning of the gas network during the 2035–40 period.⁴ As contemplated in the AEMC’s Gas networks in transition consultation paper,⁵ it can reasonably be expected that distributors will incur capital and operating expenditure to manage the effects of declining gas demand, including expenditure on decommissioning.

The ACT Government has indicated a pathway for decommissioning the gas network will become clear between 2030–35,⁶ i.e. up to ten years ahead of the actual decommissioning, and this pathway is likely to result in additional regulatory obligations for Evoenergy. In the event that these regulatory obligations require Evoenergy to provision for, or incur,⁷ future network decommissioning costs ahead of actual decommissioning (currently expected to occur during the 2035–40 period)⁸ there is no mechanism to allow for a pass through of these costs.

As currently drafted, Evoenergy’s access arrangement prevents Evoenergy from submitting a cost pass through event for future gas network decommissioning costs (i.e. where decommissioning costs will occur in a future access arrangement period), even if a regulatory change event requiring Evoenergy to immediately make provision for these costs were to be introduced in the ACT.

To ensure Evoenergy is appropriately equipped to respond to a regulatory change event with potentially significant change in cost implications, we propose to include in our revised access arrangement 2026–31 an explicit provision to allow for any change in costs that Evoenergy

⁴ ACT Government (2024). [The Integrated Energy Plan 2024–2030: Our pathway to electrification](#), June, pp.16–17; ACT Government (2022). Developing ACT’s Integrated Energy Plan, August, p.2.

⁵ AEMC (2025). [Gas networks in transition](#), June, pp. 19–20 and 32.

⁶ ACT Government (2024). [The Integrated Energy Plan 2024–2030: Our pathway to electrification](#), June, p.16.

⁷ Such as to undertake detailed planning, scoping and feasibility studies.

⁸ Early estimates indicate decommissioning costs for Evoenergy could be in the order of around \$100 million, or more.

incurs or is required to provision for in relation to future network decommissioning⁹ to be passed through under the existing regulatory change event definition, as follows:¹⁰

Change in Cost in relation to a Cost Pass Through Event means the net decrease or increase in costs (as opposed to the revenue impact) that Evoenergy has incurred and is likely to incur in the provision of the Reference Service in any relevant Financial Year as a result of the Cost Pass Through Event.

For the avoidance of doubt, Change in Cost means, in relation to a Cost Pass Through Event in respect of Network Decommissioning, any net decrease or increase in costs (as opposed to the revenue impact) that Evoenergy has incurred and is likely to incur in any relevant Financial Year as a result of the Cost Pass Through Event and, if, at the time of the Cost Pass Through Event, any Applicable Law requires or permits Evoenergy to provision for the costs of Network Decommissioning to be incurred in any future Access Arrangement Period, any provisioning for those costs Evoenergy has made and is likely to make in accordance with that Applicable Law in any relevant Financial Year as a result of the Cost Pass Through Event.

⁹ Network decommissioning is proposed to be defined as any action taken towards or involved in the decommissioning of the whole or any part of the Network (Attachment C: Access arrangement 2026–31, schedule 1).

¹⁰ Attachment C: Access arrangement 2026–31, clause 8.8 and schedule 1).

Table 1 Proposed revisions to Evoenergy’s 2021–26 access arrangement (not previously identified)

Clause	2021–26 AA reference	2026–31 AAP reference	2026–31 AARP reference	Summary of proposed changes
Introduction				
1	1.2	1.2	1.2	Amends address for access.
Services Policy				
	-	2.4	2.4	Corrects reference to Ancillary Activities Reference Services (Schedule 3, Clause 5)
Operating Expenditure Efficiency Carryover Mechanism				
3	3.1	3.1	3.1	Amends clause to clarify the Efficiency Carryover Mechanism (ECM) applies to Transportation (including metering) Reference Service operating expenditure incurred in the 2026–31 access arrangement period, as required by the AER’s draft decision (revision 7.1).
	3.2	3.2	3.2	Corrects references in ECM formulae to FY2023–24 and removes reference to non-recurrent efficiency gains for the FY2026–27, as required by the AER’s draft decision (revision 7.2).
	3.7(a)	3.7(a)	3.7(a)	Amendments to clarify exclusions from the calculation of the ECM formulae. These amendments do not accept the AER’s draft decision to allow it to unilaterally exclude costs at any time, without the agreement of Evoenergy as we consider this to be contrary to the incentive based regulatory framework (revision 7.3). See Attachment 5: Operating expenditure.
	-	-	3.7(a)(iv)	Excludes from the ECM calculation any expenditure incurred in respect of taxes and levies determined by the ACT Government or the Independent Competition and Regulatory Commission. See Attachment 5: Operating expenditure.
	3.7(b)	3.7(b)	3.7(b)	Amendments to clause aligned to AER’s draft decision (revision 7.4). However, Evoenergy’s drafting makes clear that the opex forecasts to which the ECM applies are the opex forecasts

Clause	2021–26 AA reference	2026–31 AAP reference	2026–31 AARP reference	Summary of proposed changes
				approved by the AER in its final decision and amended from time to time in accordance with the NGL, NGR or the access arrangement.
	-	-	3.7(c)	Inserts new clause aligned to the AER’s draft decision (revision 7.5) clarifying that any operating expenditure or capital expenditure that is reclassified during the 2026 access arrangement will be treated in accordance with the accounting treatment of that expenditure at the date of the AER’s final decision for the purpose of the ECM.
	3.8	3.8	-	Deletes clause as required by the AER’s draft decision (revision 7.6).
Capital Expenditure Sharing Scheme (CESS)				
4	-	4.1	4.1	<p>Evoenergy maintains that the ACT Government’s commitment to commence phased decommissioning of the gas network during the 2035–40 period¹¹ provides sufficient incentive for Evoenergy to minimise its capex and that a CESS is not appropriate. See Attachment 4: Capital expenditure.</p> <p>If the AER does not accept Evoenergy’s proposal to remove the CESS, clauses relating to the operation, application and calculation of the symmetric CESS for the 2026 access arrangement and updated API targets are provided at Appendix 4.7: CESS provisions for access arrangement-January 2026 (revisions 6.2–6.3).</p>
Capital Expenditure				
5	5.1	5.1	5.1	Amends clause 5.1 (and consequentially removes clause 5.2 inserted in the access arrangement 2026–31) to clarify calculation of Capital Base at the commencement of the 2031 access arrangement period, depreciation will be based on forecast capital expenditure at the asset class approved for the 2026 access arrangement, as required by the AER’s draft decision (revision 1.2). See Attachment 3: Depreciation.

¹¹ ACT Government (2024). [The Integrated Energy Plan: Our pathway to electrification](#), June, pp. 16–18.

Clause	2021–26 AA reference	2026–31 AAP reference	2026–31 AARP reference	Summary of proposed changes
Fixed principles				
6			6.1(a)	Amends clause reference.
			6.1(b)	Amends clause reference and removes from the fixed principle provisions inserted in Evoenergy’s 2026–31 access arrangement proposal (AAP) to support a revenue cap tariff variation mechanism (TVM), as required by the AER’s draft decision (revision 5.5).
	-		6.1(c)	Removes from the fixed principles the reference to the Unders and Overs Mechanism that was proposed in the AAP to support a revenue cap TVM for the Transportation (including metering) reference service, as required by the AER’s draft decision (revision 5.5)
Initial Reference Tariffs and Reference Tariff Variation Mechanism				
8	-	-	8.3	Inserts new clause to provide certainty that Evoenergy may vary its reference tariffs to recover retailer insolvency costs subject to approval of the AER, under NGR 520.
	8.3-8.4	8.3-8.4	8.4-8.5	Amends reference to the Transportation (including metering) Reference Tariff Variation Mechanism at Schedule 4.
	8.5	8.7	8.8(f)	Inserts Tax Change Event to Cost Pass Through Events to allow for changes to tax rates to be passed through or returned to customers consistent with industry practice. See also Tax Change Event definition in Schedule 1. See section 1.1.1: Tax Change Events.
	8.6	8.8	8.9	Amends clause to simplify drafting.
	8.7	8.9	8.10	Amends clause to simplify drafting.
	8.8	8.10	8.11	Amends clause reference.

Clause	2021–26 AA reference	2026–31 AAP reference	2026–31 AARP reference	Summary of proposed changes
	8.10	8.12	8.13	Amends clause to clarify drafting.
	8.11(c)(ii)	8.13(c)(ii)	8.14(c)(ii)	Amends clause to clarify drafting.
	8.11(f)	8.13(f)	8.14(f)	Amends drafting of Cost Pass Through application process to reflect the AER’s draft decision to require a hybrid TVM for Transportation (including metering) reference service (i.e. remove reference to the Unders and Overs Mechanism that was proposed in the AAP to support a revenue cap TVM for the Transportation (including metering) reference service) and revert to automatic adjustment factor, as required by AER’s draft decision (revision 5.5). See Attachment 6: Transportation (including metering) reference tariffs.
	8.15	8.17	8.18	Reinstates automatic adjustment factor and removes reference to the Unders and Overs Mechanism, proposed in the AAP to support a revenue cap TVM for the Transportation (including metering) reference service, as required by the AER’s draft decision (revision 5.5). See Attachment 7: Transportation (including metering) reference tariffs.
	8.15	8.17	8.18(c)	Clarifies the notification by Evoenergy to the AER of a pass through event will apply relevant Administrative Cost Impact thresholds in this Access Arrangement to the extent applicable under the Access Arrangement.
	8.16	8.18	8.19	Reinstates automatic adjustment factor and removes reference to the Unders and Overs Mechanism, proposed in the AAP to support a revenue cap TVM for the Transportation (including metering) reference service, as required by the AER’s draft decision (revision 5.5). See Attachment 7: Transportation (including metering) reference tariffs.
	8.17	8.19	8.20	Removes reference to the Unders and Overs Mechanism, proposed in the AAP to support a revenue cap, as required by the AER’s draft decision (revision 5.5). See Attachment 7: Transportation (including metering) reference tariffs.
	-	8.20	-	Removes clause relating to Variation Notice for 2026–27 Financial Year as it is not required.

Clause	2021–26 AA reference	2026–31 AAP reference	2026–31 AARP reference	Summary of proposed changes
	8.21	8.21	8.21	Clarifies the timing of Annual Variation Notice (i.e. prior to the commencement of the ‘next’ Financial Year consistent with current 2021–26 access arrangement).
	-	8.22(d)	8.22(d)	Clarifies that gas quantity inputs used in the annual Transportation (including metering) Reference TVM will be independently audited or verified. Also removes reference to the Unders and Overs Mechanism that was proposed in the AAP to support a revenue cap TVM for the Transportation (including metering) reference service, as required by the AER’s draft decision (revision 5.5). See Attachment 7: Transportation (including metering) reference tariffs.
	8.18-8.19	8.23-8.28	8.23-8.27	Simplifies drafting and structure of clauses relating the Variation Notice Assessment.
	8.22		8.23	Simplifies drafting and updates clause references.
	8.20	8.29	8.28	Amends clause to provide for AER to determine Reference Tariffs in the event Evoenergy does not submit proposed Reference Tariffs in accordance with clause 8.21 and Schedules 4 and 5 by scaling Reference Tariffs in accordance with the formula provided (i.e. removes provisions proposed in AAP to support a revenue cap, as required by the AER’s draft decision (revision 5.5)).
	-	8.32(b)	8.31(b)	Clarifies rounding convention for Reference Tariff.
Schedule 1: Definitions				
Sch. 1	Sch. 1	Sch. 1	Sch. 1	<p>Consequential amendments to the following definitions:</p> <ul style="list-style-type: none"> Removes the definition of Unders and Overs Mechanism as it is no longer relevant to the proposed TVM. Includes definitions for Basic and Basic (urgent) permanent disconnection services and wasted visits. Clarifies that Change in Costs (and Cost Pass Through Event) apply in respect of any change to the Rules or Law relating to Network Decommissioning (see also relevant

Clause	2021–26 AA reference	2026–31 AAP reference	2026–31 AARP reference	Summary of proposed changes
				<p>inclusion of reference to Network Decommissioning in Regulatory Change Event definition) (see section 1.1.1).</p> <ul style="list-style-type: none"> • Includes definition for Network Decommissioning. • Includes definition for Tax Change Event (see clause 8.7) (see section 1.1.1). • Removes the reference to any Tax or Levy set out in the Transportation (including metering) reference tariff TVM from the definition of Relevant Tax. • Removes the definition of Unders and Overs Mechanism. • Updates clause references, where required. <p>Amendments required by the AER’s draft decision (revision 5.8):</p> <ul style="list-style-type: none"> • Amends definitions of Service Standard Event, Regulatory Change Event, Insurance Coverage Event, Insurer Credit Risk Event, Terrorism Event and Natural Disaster Event, as required by the AER.
Schedule 3: Initial Reference Tariff Schedule				
Sch. 3	Sch. 3 clause 1(b)	Sch. 3 clause 1(b)	Sch. 3 clause 1(b)	Amends clause reference.
	Sch. 3 clause 3(d))	Sch. 3 clause 3(d)	Sch. 3 clause 3(d)	Amends clause references.
	Sch. 3 clause 4(a)- (b)	Sch. 3 clause 4(a)-(b)	Sch. 3 clause 4(a)- (b)	Includes 2026–27 Demand Capacity and Demand Throughput tariff charges.

Clause	2021–26 AA reference	2026–31 AAP reference	2026–31 AARP reference	Summary of proposed changes
	Sch. 3 clause 4(c)	Sch. 3 clause 4(c)	Sch. 3 clause 4(c)	Reduces the number of VI tariff blocks from four to two, as required by the AER’s draft decision (revision 5.1) and includes 2026–27 VI tariff charges. See Attachment 7: Transportation (including metering) reference tariffs.
	Sch. 3 clause 4(c)	Sch. 3 clause 4(c)	Sch. 3 clause 4(c)	Reduces the number of VB tariff blocks from three to two, as required by the AER’s draft decision (revision 5.1) and includes 2026–27 VB tariff charges. See Attachment 7: Transportation (including metering) reference tariffs.
	Sch. 3 clause 4(d)	Sch. 3 clause 4(d)	Sch. 3 clause 4(d)	Includes 2026–27 Basic Metering Equipment Charges.
	Sch. 3 clause 4(e)	Sch. 3 clause 4(e)	Sch. 3 clause 4(e)	Includes 2026–27 VI and VB Fixed Charges.
	Sch. 3 clause 5.1	Sch. 3 clause 5.1	Sch. 3 clause 5.1	Clarifies that the hourly charge for non-standard User-initiated requests and queries does not apply to Part 12A connections and alterations.
	-	Sch. 3 clause 5.1	Sch. 3 clause 5.1	Updates all Ancillary Activities Reference Tariff Charges to round to the nearest dollar.
		Sch. 3 clause 5.1	Sch. 3 clause 5.1	Updates Reference Tariff Charges for temporary disconnection, basic and basic (urgent) permanent disconnection services charges and removes wasted visit charges from basic and basic (urgent) permanent disconnection services (revisions 5.3 and 5.4). See Attachment 8: Ancillary activities reference service and tariffs.
	-	Sch. 3 clause 5.1	Sch. 3 clause 5.1	Clarifies the process for offering and accepting a complex permanent disconnection service. See Attachment 8: Ancillary activities reference service and tariffs.

Clause	2021–26 AA reference	2026–31 AAP reference	2026–31 AARP reference	Summary of proposed changes
	-	Sch. 3 clause 5.1 Notes to table 2(a)	Sch. 3 clause 5.1 Notes to table 2(a)	Notes to table 2(a) provides additional clarity as to the circumstances under which wasted visits will apply, as required by AER’s draft decision (revision 5.4), see Attachment 8: Ancillary activities reference service and tariffs. Also amends reference to Commencement Date.
Schedule 4: Transportation (including metering) Reference Service Tariff Variation Mechanism				
Sch. 4	Sch. 4 clause 1	Sch. 4 clause 1-2	Sch. 4 clause 1-2	Amends Transportation (including metering) Reference Service TVM formulae from the revenue cap proposed in the AAP to a hybrid TVM, as required by the AER’s draft decision (revision 5.5). See Attachment 7: Transportation (including metering) reference tariffs.
Schedule 5: Tariff Variation mechanism for Ancillary activities reference service				
Sch. 5	-	Sch. 5 clause 1	Sch. 5 clause 1	Amends Ancillary activities reference service TVM formulae to reflect the AER’s draft decision to require tariffs to be varied by the Consumer Price Index (CPI) (revision 5.7). See Attachment 8: Ancillary activities reference service and tariffs.

2. Changes to the reference service agreement 2026–31

Evoenergy proposes to make additional amendments to its 2021–31 reference service agreement (RSA). These changes reflect the AER’s draft decision, or reflect new information, regulatory arrangements or circumstances. The changes to the RSA either replace, or are in addition to the changes set out in our initial 2026 RSA¹². Key amendments include:

- removing provisions relating to wasted visits for basic and basic (urgent) permanent disconnections,
- defining wasted visits and wasted visit charges with respect to the access arrangement,
- amendments required to reflect new gas connections regulatory arrangements,¹³ and
- other minor amendments to simplify or clarify clauses.

Proposed changes to the access arrangement are set out in Table 2 below and marked up in Attachment F: Marked up reference service agreement 2026–31. Changes made to reflect this revised proposal are shown in yellow. A clean version is provided at Attachment E.

¹² Evoenergy (2025). Appendix 10.4: Table of reasons for changes to the reference service agreement, June.

¹³ AEMC (2025). [Updating the regulatory framework for gas connections](#), December.

Table 2 Proposed revisions to Evoenergy’s 2021–26 reference service agreement (not previously identified)

Clause	2021–26 RSA reference	2026–31 proposed RSA reference	2026–31 revised RSA reference	Summary of proposed changes
Definitions				
1	-			Inserts definition for wasted visit and wasted visit charge with reference to the access arrangement.
Addition of new delivery points				
9	-	-	9(g)(iii)	Clarifies that when requesting a new delivery point a User (or Customer, as relevant) must have paid or committed to pay connection charges, and, where applicable, charges for assessing a connection application and making a connection offer determined in accordance with Part 12A of the NGR, to reflect new gas connections regulatory arrangements, as required by the AER’s final decision (revision 2.1).
Ancillary activities reference service				
16	-	16.3(c)	16.3(c)	Removes reference to wasted visit charges from the User’s agreement to pay the relevant service charge for a Basic Permanent Disconnection, see Attachment 8: Ancillary activities reference service.
	-	16.4(c)	16.4(c)	Removes reference to wasted visit charges from the User’s agreement to pay the relevant service charge for a Basic (Urgent) Permanent Disconnection, see Attachment 8: Ancillary activities reference service.
Charges				
17	17.1(d)	17.1(d)	17.1(d)	Clarifies that Users must pay Charges for assessing a connection application or making a connection offer under any NGR Part 12A connection contract, to reflect new gas connections regulatory arrangements, as required by the AER’s final decision (revision 2.1).

Clause	2021–26 RSA reference	2026–31 proposed RSA reference	2026–31 revised RSA reference	Summary of proposed changes
Force Majeure				
22	22.1	22.1	22.1	Removes duplication of clause reference.
Confidentiality				
29	29(b)	29(b)	29(b)	Clarifies that Parties may not disclose Confidential Information without prior written consent of the other Party.
Sensitive Operational Information				
30	-	30.1(a)(v)	30.1(b)	Establishes sub-clause (b) to make clear that a breach of clause 30 would be deemed to be a material breach of the Agreement.
Dispute resolution				
31	30.8	31.9	31.9	Amends clause reference.
Gas Balancing With Operational Balancing Agreement with Pipeline Shippers				
Annexure 3, clause 4	-	4.3(b)	4.3(b)	Amends clause reference.
Parties and Address of Parties for Notices				
Annexure 1	Annexure 1		Annexure 1	Updates Address of Parties for Notices.

Glossary

Term or acronym	Definition
AA	Evoenergy's access arrangement
AAP	Evoenergy's 2026–31 access arrangement proposal
ACT	Australian Capital Territory
ACTG	ACT Government
AEMC	Australian Energy Market Commission
AER	Australian Energy Regulator
Capex	Capital expenditure
CESS	Capital Expenditure Sharing Scheme
CPI	Consumer price index
ECM	Efficiency carryover mechanism
Network decommissioning	Any action taken towards or involved in the decommissioning of the whole or any part of the Network
NGR	National Gas Rules
Opex	Operating expenditure
Permanent disconnection	The permanent disconnection of a gas connection at the premises. A permanent disconnection involves the removal of the gas meter and the physical disconnection of any pipeline to the property. This is considered the safest option as it removes all risks associated with having a pressurised gas pipe, including the risk of gas leaks and excavation strikes.
RSA	Reference Service Agreement
Temporary disconnection	A disconnection is a temporary closure of a gas connection on a premises. It involves disabling the meter equipment by introducing a plug, wad, meter lock or blanking device to the inlet of the meter, preventing gas flow through the meter. A temporary disconnection does not disconnect the pipeline to the premises, meaning the gas pipeline is still active and pressurised. A temporary disconnection can be reversed.
The Rules or Rules	National Gas Rules
TVM	Tariff Variation Mechanism
VB	Volume Boundary tariff
VI	Volume Individual tariff