

# Natural gas negotiated framework.

This document provides guidance to connection applicants who have decided to, or are considering, negotiating a connection with Evoenergy (“us”, “our”, “we”). It provides detailed guidance as to who may negotiate with us, what may be negotiated, the process for negotiating and the likely costs that are associated.

This document is intended to provide an accessible summary of the National Gas Rules applicable to connection applicants wishing to have a negotiated connection. If there are any inconsistencies between this document and the National Gas Rules, then the requirements of the National Gas Rules will prevail.

## 1. Who is this document aimed at?

If you are a consumer, then you may negotiate with us or ask your retailer to negotiate with us on your behalf.

This document is aimed at connection applicants (“you” or “your”). Connection applicants are either:

1. retail customers;
2. real estate developers; or
3. retailers.

## 2. When is a connection negotiable?

In short, any connection may be negotiated if you choose. Before choosing to negotiate a connection though, you should read through this document carefully and consider whether it is in your best interests to negotiate, as although we are obligated to treat you and your application fairly and in good faith, negotiating with us may take extra time, cost you more money and you may lose some of the rights you are afforded by default as a consumer. Withstanding the previous sentence, for some connection applicants—real estate developers in particular—negotiated connections provide unique and necessary benefits such as the right to choose where a site is connected. The intention of this document is to provide you with as much

information as possible, so that you are fully informed before choosing to negotiate with us. To provide clarity you may choose to negotiate a connection with us in the following scenarios:

1. If you are eligible for a basic connection, but instead choose to negotiate a connection with us.
2. If you are ineligible for a basic connection.

## 3. What is Negotiable?

Appendix 1 provides some specific examples of what is negotiable. The terms and conditions have been standardised across both basic and negotiated connections. In order to reduce your costs, we recommend that you consider only varying the scope of the connection and the timeframes within which it will be performed. While legally we are obligated to allow you to vary any aspect of the terms and conditions of the contract, doing so will require more time and potentially additional legal support from us, the costs of which we will pass on to you as provided for under the National Gas Rules.

## 4. May negotiations extend to supply?

The National Gas Rules provide for you to choose to extend negotiations to supply services too. It also obligates us to make it clear that by doing so, you may be giving up rights that you would have under an ordinary connection. Our customers have a right to have the deemed standard connection contract apply to them, for more information refer to the customer charter available on our website. By choosing to extend negotiations to supply, you are negotiating terms that will operate to the exclusion of all terms in the deemed standard connection contract. In addition to these terms operating to the exclusion of terms in the deemed standard connection contract, negotiating different supply terms may take some time and require more significant legal support, a cost that will be passed onto you. Additionally negotiating different supply provisions may require additional support or at the very least different processes to be developed, the costs of which may be prohibitive.

## 5. What are negotiations in good faith?

Both parties have an obligation to negotiate in good faith. This is a mutual obligation to provide each other with accurate and relevant information in a timely manner.

## 6. What is the negotiation process?

This section sets out the process for negotiations between parties.

### 6.1 What are the negotiation timeframes?

Phase	Event	Timeframe
<b>Preliminary enquiry phase</b>	Receipt of enquiry about <i>negotiated connection service</i>	<b>A</b>
	Response to enquiry to <i>enable connection applicant</i> to negotiate on an informed basis	A + 5 business days
<b>Application phase</b>	Submission of complete connection application	<b>B</b>
	Advise <i>connection applicant</i> that connection is a <i>negotiated connection type</i> or <i>connection applicant</i> chooses to negotiate connection	B + 10 business days
	Evoenergy (optionally) requests additional information	B + 20 business days
	<i>Connection applicant</i> responds	C
	Provide <i>connection applicant</i> with commercial information.	As soon as practicable after B, or if applicable, C
<b>Offer phase</b>	Issue of formal <i>connection offer</i>	B + 65 business days, or if applicable, C + 65 business days (=D)
	Connection offer remains open for acceptance (unless extended by agreement)	D + 20 business days

- i. You may enquire about a negotiated connection service, to which we will respond within five business days.
- ii. You may submit a complete connection application.
- iii. Within ten business days from receiving the application, we will advise you whether you require a basic or a negotiated connection. Even if your application is eligible for a basic application you may inform us that you wish to start the negotiated process with us.
- iv. We may require additional information to that contained on the application form,

in that case we will seek that within twenty (20) business days where practicable or as soon as possible thereafter.

- v. You will then provide the requested additional information as soon as practicable.
- vi. We will then provide you with the following information:
  - a. an estimate of the amount to be charged by us for assessment of the application and making a negotiated connection offer;
  - b. an estimate of connection charges;
  - c. a statement of the basis on which connection charges are calculated;
  - d. a statement of the assumptions made by us in applying the connection charges criteria;
  - e. if you elect to extend the negotiations to cover supply services – an estimate of any applicable charges for supply services and a statement of the basis of their calculation.
- vii. Within 65 business days or else some other mutually-determined time we will provide you with a connection offer.
- viii. You will then have 20 business days or some other mutually-determined time to accept the connection offer.

## 6.2 How is my commercial information protected?

As part of the negotiation process both parties may have to exchange information that is potentially commercially sensitive. If that is the case then either party may require the other party to enter into confidentiality agreement.

We will not sign a confidentiality agreement in relation to information that is provided to us by another person or for information that by law, we are prohibited from disclosing to you. Sometimes, by law, we may be obligated to pass information on to regulators and other government bodies. If the information we are seeking from you falls into that category we will inform you.

We sometimes have other parties acting on our behalf to provide connections; in that case we will pass on your commercial information to them and note it in the confidentiality agreement.

## 6.3 Will we discuss your application with others?

Some applications for a negotiated service may adversely affect other customers of ours. If is, or likely to be, the case then by law we have the right to consult with the potentially affected users of your proposed new connection or connection alteration.

## 6.4 What is the cost of the negotiated application?

In regards to a negotiated application there are two main charges:

- the application fee; and
- the connection charges

We may charge you an application fee, which if you carry through your application may be deducted from the cost of your connection.

We will provide you with indicative connection charges based on your requirements shortly after you submit your application.

## Appendix 1 – Examples of what is negotiable

The below table provides general examples of what may be negotiable for a particular connection. Note that not everything below will apply to every connection, for example,

residential connections have very different requirements to a high-rise building undertaken by real estate developers.

Category	Description
number, size and pressure of network equipment	The larger the capacity requirements of the meter and other equipment, the more expensive. Additionally, if more than one meter is required, this will have a cost implication.
number, size and type of enclosures	Subsequent to the above, the number and type of enclosures will also have a cost implication.
provision of trenches	You may reduce costs if you have dug your own trenches and they are deemed suitable for the installation of our services.
location of meters	Subsequent to the above, the number and type of enclosures will also have a cost implication.
provision of trenches	You may reduce costs if you have dug your own trenches and they are deemed suitable for the installation of our services.
location of meters	In general for a residential connection meters are located within two meters external to the premises. If you require your meter elsewhere, this may change your costs. Changing the meter location may require a longer inlet service and may incur or eliminate the need for a mains extension. Additionally it may incur or eliminate the need for traffic control to be performed.  For medium density and high-rise connections the meter must be located externally or in compliance with the Gas Service and Installation Rules. There are costs with these options.
location of inlet services	In general inlet services are adjacent to the main; however, we may entertain a different location of inlet services if it eliminates the need for a main extension or avoids a high traffic road.

# evoenergy.com.au

## General enquiries

13 23 86

## Emergencies and faults

13 10 93 – Electricity

13 19 09 – Natural gas

## Language assistance

如果您需要幫助，請打電話給下面的號碼。

¿Necesita un intérprete? Llame al número indicado abajo.

هل تحتاج إلى مترجم؟ اتصل بالرقم أدناه.

Trebate li pomoć tumača? Nazovite niže navedeni broj.

Nếu quý vị cần sự giúp đỡ, vui lòng gọi số bên dưới.

Se vi serve un interprete, telefonate al seguente numero.

Αν χρειάζεστε διερμηνέα, τηλεφωνείτε στον αριθμό παρακάτω.

13 14 50