

Stage 2 Adviser referral notice

Under Clause 8.2.5 of the National Electricity Rules (NER)

How to use this form

Purpose of this form

This form is used to escalate a dispute under the National Electricity Rules (NER) from Stage 1 to Stage 2. It refers the matter to the Resolution Adviser for case management, resolution, or the constitution of a Dispute Resolution Panel (DRP).

Instructions

- **Timing is critical:**
This form must be submitted within 60 business days of the last DMS referral notice (unless exceptions apply).
- **Have you completed Stage 1?**
This form should only be used if a Stage 1 notice has already been served and the matter remains unresolved.
- **Submit to the Adviser:**
Email completed and signed form to wemdra@resolution.institute, including any supporting material, correspondence and Stage 1 Notice.
- **Selecting a process:**
You may agree to the Adviser attempting to resolve the matter, or request direct referral to a DRP.
- **Naming all parties:**
Clause 8.2.5(a)(2) requires that you name all parties to the dispute. This is essential to ensure fair access and participation.

Hints and tips

- Clearly describe the dispute and its impact. Use attachments if needed for background or evidence.
- Outline the key issues and what outcome or resolution you are seeking.
- Use the Adviser process to clarify the issues and reduce costs before escalation to a DRP.
- If you are proposing DRP members, include names, expertise, and contact details if not already in the Adviser's published pool.
- Remember that parties who are not named will not be bound by any determination – think carefully about inclusions.

Remember

- Statements from parties are due within 5 business days of notification.
- The Adviser must act within 10 business days of receiving the notice.
- If referred to a DRP, the Adviser must notify all Registered Participants, AEMO, AER, and AEMC.

This notice may be made public or referenced in market reports for precedent purposes.

For further guidance, refer to the NER or contact Resolution Institute via wemdra@resolution.institute or phone **1800 651 650**



This is the approved form published by the Adviser in accordance with clause 8.2.5(a)(1) of the NER.
Version: 010725

Stage 2 Adviser Referral Notice

Pursuant to Clause 8.2.5 of the National Electricity Rules

1. DETAILS OF REGISTERED PARTICIPANT(S) REFERRING THE MATTER TO THE ADVISER

| | |
|--------------------------|--|
| Organisation: | |
| DMS contact name: | |
| Phone: | |
| Email: | |
| Mobile: | |
| Date submitted: | |

2. TYPE OF REFERRAL UNDER CLAUSE 8.2.5(A) OF THE NER

PLEASE SELECT (TICK)
AS APPROPRIATE:

- (1) The application or interpretation of the NER
- (2) The failure of any Registered Participants to reach agreement on a matter where the NER require agreement or require the Registered Participants to negotiate in good faith with a view to reaching agreement
- (3) The proposed access arrangements or connection agreements of an Intending Participant or a Connection Applicant
- (4) The payment of moneys under or concerning any obligation under the NER
- (5) Any other matter relating to or arising out of the NER to which a contract between two or more Registered Participants provides that the dispute resolution procedures under the NER are to apply
- (6) Any other matter relating to or arising out of the NER in respect of which two or more Registered Participants have agreed in writing that this rule 8.2 should apply
- (7) Any other matter that the NER provide may or must be dealt with under this clause 8.2

Please specify:

- OR Request for compensation from the participant compensation fund**

3. OUTLINE OF DISPUTE / COMPENSATION CLAIM

Provide a brief history of the dispute / compensation claim and the circumstances giving rise to it:

[Please provide additional details via attachments if necessary.]

Additional correspondence attached *(please tick if applicable)*

4. KEY DATES

Date of disputed decision or the occurrence of disputed conduct or when it became known [clause 8.2.4(b)]:

(For compensation claims please provide the date of the incident and whether AEMO has declared that it failed to follow the central dispatch processes set out in clause 3.8 or that a dispatch interval contains a manifestly incorrect input [clause 3.8.24(2),(3)].)

Date of last service of a DMS referral notice:

[NOT required for compensation claims]

Copy of Notice is attached

5. STATEMENT OF ISSUES

Provide a statement of your organisation's issues in relation to the dispute (*the heads of damages and the relevant trading intervals for compensation claims*):

[Please provide additional details via attachments if necessary.]

Additional correspondence attached (*please tick if applicable*)

| | |
|---|--|
| Name and firm of external legal adviser: (if applicable) | |
|---|--|

6. ALL PARTIES TO THE DISPUTE

Clause 8.2.5(a)(2) requirement: This notice must contain the names of **ALL** parties to the dispute.

NOTE

Being a party gives a participant the right to access information and to participate in the process. It is also necessary to consider who will be bound by any determination. In general terms, if you need a participant to be bound by the determination they will need to be a party.

REFERRING PARTY (*already listed in section 1*): Details as in Section 1 above confirmed (pls tick)

PARTY 2

| | |
|--------------------------|--|
| Organisation: | |
| DMS contact name: | |
| Phone number: | |
| Mobile: | |
| Email address: | |

PARTY 3 (if applicable)

| | |
|--------------------------|--|
| Organisation: | |
| DMS contact name: | |
| Phone number: | |
| Mobile: | |
| Email address: | |

There are additional parties – details attached

OTHER PARTICIPANTS FOR COMPENSATION CLAIMS:

Please outline if you think there are any other participants who have an interest in the matter:

PARTY DISAGREEMENTS:

If there is a difference of view between the participants about who is a party / affected, please indicate below. *[Please provide additional details via attachments if necessary.]*

Additional correspondence attached *(please tick if applicable)*

8. ESTABLISHING A DRP

Names of person(s) the Registered Participant(s) would like the Adviser to consider in constituting any DRP, if not currently in the published pool of experts:

[Please provide additional names via attachments, if necessary.]

| | |
|---|--|
| Name: | |
| Technical expertise: | |
| Contact details: | |
| Details of referee: (if possible) | |
| Suggested number of members to be included in a DRP: | |
| Expertise and technical experience required: | |

Additional correspondence attached *(please tick if applicable)*

9. DECLARATION

I declare that:

- This notice is in the form approved and published by the Adviser [clause 8.2.5(a)(1)]
- This notice contains the names of all parties to the dispute [clause 8.2.5(a)(2)]
- The information provided is true and accurate
- I am authorized to serve this notice

| | |
|--------------------------|--|
| Name: | |
| Position (title): | |
| Date: | |
| Signature: | |

IMPORTANT NOTES

The Adviser may provide a copy of this *Stage 2 Adviser Referral Notice* to a dispute resolution panel (DRP) should one be constituted in accordance with the NER.

The Adviser may also include a copy of the *Stage 2 Adviser Referral Notice* (or a summary) in their quarterly report to the market and on the dispute resolution portion of the AER website for precedent purposes.

Timeline:

- Parties must provide statements within **5 business days** of notification.
- Adviser must take action within **10 business days** of receiving this notice.

RETURN COMPLETED AND SIGNED FORM TO:

wemdra@resolution.institute