Powerlink welcomes the opportunity to respond to the Review of Queensland Energy Legislation Options Paper (Options Paper) and supports proposed options to create a future focused framework which is adaptable to an evolving industry and aligned with national laws.

Powerlink is broadly supportive of the recommended options and proposed approach to restructure the legislative framework in a way that acknowledges the national energy objectives and promotes the delivery of safe, cost effective, secure and reliable solutions in the long-term interests of consumers. In particular, Powerlink supports recommended options relating to:-

1. **Licensing** – state based licensing arrangements that are aligned with the national regime to avoid duplication, provide greater transparency and are adaptable to accommodate emerging licensing needs facilitated through State mechanisms;

2. **Powers of entry and resumption** – the extension of electricity entities’ powers of entry to facilitate the efficient and responsible removal of electricity works and remediation of land and access to infrastructure during emergencies;

3. **Emergency powers** - the replacement of the rationing order provisions with more contemporary and responsive arrangements through Ministerial power provisions supported by appropriate guidance material.

Powerlink’s response to the proposed options in the above topic areas is outlined in the attached submission.

Powerlink welcomes the opportunity to consult further on the recommended options and development of the Queensland energy framework.

Yours sincerely,

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INTERIM CHIEF EXECUTIVE

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Licensing

Powerlink supports the proposed approach to align state and national licensing regimes to remove duplication and streamline processes. Powerlink also supports a licensing framework that is more adaptable and responsive to accommodate state specific requirements and clarify the treatment of new and emerging technologies and services. The need for a more adaptable framework is becoming increasingly important in light of the emerging role of networks in responding to system strength needs to support security of supply. For example, the increasing viability of Battery Energy Storage Systems (BESS) to support the secure operation of the power system could be hampered if licensing arrangements are not supportive of networks owning and operating such systems.

The Options Paper notes a further issue that impacts on the effectiveness of licensing arrangements is the current lack of transparency, which restricts customers’ ability to verify authorisations and associated terms such as reliability\(^1\). Powerlink supports greater transparency of licensing arrangements facilitating improved access to data, such as more detailed data on generators embedded in the distribution network, that can enhance forecasting and network planning.

Powers of entry and resumption

The current electricity entity powers of entry and resumption remain critical to support the effective and efficient delivery, operation and maintenance of Queensland’s electricity transmission network. Powerlink supports the extension of these rights and powers to facilitate removal of infrastructure, remediation of land and access through neighbouring properties in emergency situations.

Powerlink also supports a framework that provides appropriate safeguards and recognises arrangements that seek to ensure powers are exercised in a way that respects landowners’ property rights and interests. In this regard, Powerlink supports the proposed principles based approach to encourage the development of land access codes by industry and facilitate arrangements that can be tailored to meet specific needs. The principles need to be appropriately balanced to ensure they support the desired policy outcomes that enables entities to continue to efficiently deliver reliable and safe energy.

As noted in Powerlink’s submission to the Issues Paper, Powerlink has worked with landholders and stakeholders to develop a Land Access Protocol to ensure land access and engagement practices align as far as possible with stakeholder expectations. The proposed principles based approach to encourage the development of land access codes needs to be sufficiently flexible to allow effective and well-established arrangements to continue, particularly if they have been developed collaboratively between industry and their stakeholders.

Emergency Powers

The Options Paper recognises that the effectiveness of the emergency response provisions in the *Electricity Act 1994* are constrained by their limited scope and the time taken to initiate available response actions. The Options Paper suggests the effectiveness and timeliness of emergency response could be improved by introducing provisions for a supply emergency declaration, Ministerial directions power and information request powers to support emergency management planning. Powerlink supports the proposed approach, particularly if decisions and powers are appropriately supported by guidance material and information provided by relevant electricity industry participants, formalising and creating greater certainty to existing voluntary arrangements.

\(^{1}\) Review of Queensland Energy Legislation, Part 2 Options Paper, A consultation paper containing detailed regulatory impact statements, October 2019, p64