

# Draft Nomination specification – BESS2 only – for consultation

17 June 2024

## Purpose of this specification

This specification has been developed to allow greater flexibility for the account holder of the electricity account who will sign the demand response contract (the **Original Capacity Holder**) to nominate an Accredited Certificate Provider (**ACP**) to be the Capacity Holder (the **Nominated Capacity Holder**) for the BESS2 activity (*Sign a behind the meter battery energy storage system up to a demand response contract*).

Unlike other PDRS activities, this activity does not involve installing equipment.

**To be nominated as the Capacity Holder under BESS2**, you (the ACP) and/or the Demand Response Aggregator must design your business processes to meet the below specifications in the contract-signing process.

**You must not use the standard Nomination Form Template for BESS2.**

If you are conducting other activities under the PDRS, or any activity under the ESS, you will need to be nominated separately using the standard Nomination Form Template.

# Draft Nomination specifications

## Form of nomination

The nomination to the Nominated Capacity Holder must be in writing and signed by the Original Capacity Holder.

This can be done using:

- An electronic signature on a digital contract; or
- A wet-ink signature on a paper contract.

You or the Demand Response Aggregator may use an online contracting system or platform to record and manage the nomination process.

## Requirement to provide contact details

You must ensure that the below details are provided to the Original Capacity Holder when they sign the nomination form and/or demand response contract. They must also be provided to the Original Capacity Holder along with a copy of the demand response contract after they have signed the contract.

The relevant details are:

- The ACP's name and ABN/ACN
- The ACP's contact number and/or email address
- The ACP's relevant PDRS accreditation number
- How the consumer can access customer support for the services they are contracting for in the demand response contract.

Where you are not also the Demand Response Aggregator (**DRA**) (the counterparty to the contract), you must also ensure that the following details for the DRA are also provided to the capacity holder at the same time as the above details:

- The DRA's name and ABN/ACN
- The DRA's contact number and/or email address.

## Nomination requirements

The below nomination text must be provided to the Original Capacity Holder along with, or as part of, the demand response contract.

You may develop a separate form that incorporates the nomination text, or incorporate the nomination text within the demand response contract.

The nomination must be displayed with the same prominence as other important information in the demand response contract. It must not be in a font size that is smaller than other key terms and conditions.

The Original Capacity Holder must not be asked to sign without reading or be subjected to high-pressure sales tactics to sign the demand response contract or nomination.

The Original Capacity Holder must agree to the nomination text. This can be by signing the contract where the nomination is a condition of the contract, or by separately agreeing to the nomination with a separate signature. You must record the date that the Original Capacity Holder agrees to the nomination. You may automate this digitally (for example, through a platform such as DocuSign) or have the Original Capacity Holder complete the date.

The nomination text below must be shown unbroken on a single page or webpage, prior to the signing of the demand response contract. Sections in yellow are to be populated before being presented to the Original Capacity Holder while the blue sections are to be filled in by the Original Capacity Holder. Purple sections are drafting instructions that must be followed and then removed from the final version.

### The ACP must be nominated on or before the Implementation Date

An ACP may only create Peak Reduction Certificate if the ACP is the Nominated Capacity Holder at the Implementation Date. For the BESS2 activity, the Implementation Date is the date the contract between the Original Capacity Holder and the Demand Response Aggregator is signed.

## Nomination text

The Peak Demand Reduction Scheme (PDRS) create certificates from projects that have the capacity to reduce the demand on our electricity network during peak times.

As the person signing this demand response contract, you are the Original Capacity Holder, and you have the right to the demand reduction capacity that is created from allowing your battery to be coordinated with other batteries (collectively called a **VPP**, or virtual power plant). By signing this form, you give that right to **[Insert ACP name and ABN]** so that they can create and sell certificates under the scheme.

**[Include this note if the ACP and DRA are separate entities, otherwise delete]** Note – **[Insert ACP name and ABN]** and **[Insert DRA name and ABN]** are not representatives of the NSW Government.

**[Include this note if the ACP and the DRA are the same entity, otherwise delete]** Note – **[Insert ACP name and ABN]** is not a representative of the NSW Government.

Like the signing of any contract, you should understand and consider what you are being asked to sign and whether it is right for you.

You are not required to make this nomination, nor is the party you are contracting with representing the NSW Government.

I, **[Original Capacity Holder name]**, nominate **[Insert ACP name and ABN]** as the capacity holder for the demand reduction capacity created by you signing up my battery to be a part of the virtual power plant operated by **[Insert name and ABN of the ACP or DRA who is controlling the relevant VPP]**.

I declare that:

I agree to provide information about this demand response contract or the battery it relates to IPART or an Energy Security Safeguard Schemes auditor if requested

I understand that the ACP is required to provide a completed copy of this declaration for my records within 7 days of me signing this form.

There is no life support equipment at the premises. Life support equipment means any of the following:

An oxygen concentrator

An intermittent peritoneal dialysis machine

A kidney dialysis machine

A CPAP respirator

Crigler Najjar syndrome phototherapy equipment

A ventilator for life support

Any other equipment that a registered medical professional certifies is required for a person residing at the premises for life support.

The information I have provided is accurate and is not misleading by inclusion or omission.

Signed: **[Text box for signature or name of Original Capacity Holder]**