



Information Sharing Protocol

1 Purpose and interpretation

- 1.1 Ausgrid complies with the requirements of the Ring-fencing Guideline published by the Australian Energy Regulator (**Guideline**), including those concerning information access and disclosure.
- 1.2 Ausgrid takes its obligations regarding *confidential information* very seriously and makes it a priority to keep confidential information it acquires or generates confidential and to handle it appropriately and in accordance with the Guideline and other *law* including laws relating to privacy. The purpose of this information sharing protocol is to set out how and when Ausgrid will make confidential information available to other legal entities.
- 1.3 Italicised terms used in this protocol have the meanings set out in clause 4 (Dictionary).
- 1.4 'We' and 'us' means Ausgrid in its capacity as a distribution network service provider.
- 1.5 'You' means another legal entity who is seeking access to confidential information.

2 Protocol

Disclosure of confidential information – general

- 2.1 We are not allowed to disclose *confidential information* to any person, including *related electricity service providers*, unless at least one of the following conditions is met:
 - (1) we have obtained explicit informed consent from the relevant customer, or prospective customer to whom the *confidential information* relates;
 - (2) the disclosure is necessary to comply with any *law*;
 - (3) the disclosure is necessary to enable Ausgrid to provide regulated services for our customers or other services permitted by the Guideline (for example, corporate services to a *related electricity service provider*);
 - (4) the disclosure is requested by or on behalf of a customer or potential customer of another legal entity, and is required for that legal entity to provide services to that customer;
 - (5) we are required to disclose *confidential information* in order for us to help another distributor in an emergency situation;
 - (6) the disclosure is solely for the research purposes of another legal entity (but not a *related electricity service provider*); or
 - (7) we have provided the *confidential information* to a *related electricity service provider* and are disclosing it to other entities in line with this protocol.

Disclosure of *confidential information* where we share it with a *related electricity service provider*

- 2.2 Where we provide *confidential information* to a *related electricity service provider*, in some circumstances we are also required to share that information with competitors and potential competitors of that *related electricity service provider*.

When we will share confidential information with you in this way

- 2.3 We will only share *confidential information* of a particular kind with you in this way if:
- (1) we are satisfied the information was not provided to the *related electricity service provider* under any of the conditions listed in 2.1(1) to (5) above;
 - (2) you have made a prior request to be included on our information register in respect of that particular kind of *confidential information*; and
 - (3) we are satisfied that you are competing (or seeking to compete) with the *related electricity service provider* in providing *contestable electricity services*.

Information register

- 2.4 We maintain an information register which is available on our website at ausgrid.com.au/ringfencing. The information register records:
- (1) the names of entities that request access to *confidential information* that we share with our *related electricity service provider*; and
 - (2) the kind of *confidential information* each entity has requested.

How to request inclusion on the information register

- 2.5 To request inclusion on our information register, you must apply using the application form available on request from the contact shown in clause 3.1.
- 2.6 We will endeavour to enter you on our information register within 10 business days of the later of:
- (1) the date we receive your completed application form; and
 - (2) the date we receive any additional information that we may reasonably require from you.
- 2.7 However, for the purposes of clause 2.3(2) of this protocol, we will treat your request as having been received on the later of the above two dates.

When and how we will provide information

- 2.8 If:
- (1) we provide *confidential information* of a particular kind to a *related electricity service provider*; and
 - (2) the requirements of clause 2.3 are satisfied; and
 - (3) your application for registration on our information register requested that particular kind of *confidential information*,

we will share that same *confidential information* with you in accordance with clauses 2.9 to 2.12 below.

- 2.9 Where we share *confidential information* as described in clause 2.8, you will receive an email notification informing you of such information sharing. If you wish to request access to that information, you may do so by following the instructions set out in the email.
- 2.10 Before we provide you with *confidential information*, you will be required to agree to terms and conditions for the protection of that *confidential information*. These terms and conditions will, among other things, require you to keep the information confidential and only use it for the purpose for which it was acquired or generated.
- 2.11 Once you have agreed to these terms and conditions, we will provide the requested information to you electronically in a file format of our choosing.
- 2.12 We will endeavour to provide the requested information to you within 15 business days of your agreement to the terms and conditions.

3 Relevant contacts

- 3.1 Should you require any further information in relation to this information sharing protocol or the information register, please email: **ringfencing@ausgrid.com.au**

4 Dictionary

- 4.1 *Affiliated entity* means a *legal entity*:
- (a) which is a direct or indirect shareholder in Ausgrid or otherwise has a direct or indirect legal or equitable interest in Ausgrid;
 - (b) in which Ausgrid is a direct or indirect shareholder or otherwise has a direct or indirect legal or equitable interest;
 - (c) in which a legal entity referred to in paragraph (a) or (b) is a direct or indirect shareholder or otherwise has a direct or indirect legal or equitable interest in relation to Ausgrid.
- 4.2 *Confidential information* means *electricity information*, acquired and generated by Ausgrid in connection with its provision of *direct control services*, that is not publicly available, and includes *electricity information*:
- (a) that Ausgrid derives from that information; or
 - (b) provided to Ausgrid by or in relation to a customer or prospective customer of *direct control services*.
- 4.3 *Contestable electricity services* means:
- (a) *distribution services* other than *direct control services*; and/or
 - (b) services for the supply of electricity that are necessary or incidental to the supply of electricity, other than *transmission services* and *distribution services*.
- 4.4 *Distribution services* means services provided by means of, or in connection with, a distribution system.
- 4.5 *Electricity information* means information about electricity networks, electricity customers or *electricity services*, other than:
- (a) aggregated financial information; or
 - (b) other service performance information;

that does not relate to an identifiable customer or class of customer.

4.6 *Law* means any law, rule, regulation or other legal obligation (whether statutory or otherwise).

4.7 *Legal entity* means a natural person, a body corporate (including a statutory corporate or public authority), a partnership, or a trustee of a trust, but excludes staff in their capacity as such.

4.8 *Related electricity service provider*, includes:

(1) an *affiliated entity* of Ausgrid; and

(2) any part of the Ausgrid;

that provides *contestable electricity services*, but excludes a part of an affiliated entity that provides direct control services.

4.9 *Transmission services* means services provided by means of, or in connection with, a transmission system.