

Independent Competition and Regulatory Commission (Reference for Investigation) Determination 2005 (No 1)

Disallowable instrument DI2005—218

made under the

Independent Competition and Regulatory Commission Act 1997, s15 (Nature of industry reference) and s16 (Terms of industry references)

Reference for Investigation Under Section 15

Pursuant to subsection 15(1) of the Act, I refer to the Independent Competition and Regulatory Commission (the “Commission”) the provision of a price direction for the supply of electricity to franchise customers for a period to operate from the expiration of the current price direction on 30 June 2006.

Reference for Requirements in Relation to Investigation Under Section 16

Pursuant to subsection 16(1) of the Act, I specify the following requirements in relation to the conduct of the investigation:

1. The Commission is to consider the competitive state of the market for the supply of electricity to franchise customers as the basis for determining the continuing need for a price direction. If such a need exists, the Commission shall provide a price direction and recommend the duration of any price direction to operate from 1 July 2006, following the expiration of the current price direction on 30 June 2006.
2. In undertaking the review, the report should have regard to the requirements of Section 20 of the Act, as well as the following:
 - (a) while having regard to the new national electricity regulatory environment, any applicable requirements of the National Electricity Law and the National Electricity Code;
 - (b) the arrangements for Retailer of Last Resort;
 - (c) the retail prices charged by ActewAGL in other jurisdictions; and
 - (d) the retail prices charged by incumbent retailers in other jurisdictions.
3. The Commission must produce its final report in time sufficient to allow ActewAGL Retail to make any necessary administrative changes to its billing system and to provide information on any new tariff to customers.

Ted Quinlan MLA
Treasurer
22 September 2005