

Independent Competition and Regulatory Commission (Investigation into Projected Costs of the enlarged Cotter Dam water security project) Terms of Reference Determination 2009

Disallowable instrument DI2009– 227

Made under the

Independent Competition and Regulatory Commission Act 1997, Section 15 (Nature of industry references) and Section 16 (Terms of industry references)

Reference for investigation under Section 15

Pursuant to sections 15 (1) and 16 of the *Independent Competition and Regulatory Commission Act 1997*, I refer to the Independent Competition and Regulatory Commission (the Commission) the task of undertaking an investigation of the projected costs and other matters provided by ACTEW of the enlarged Cotter Dam project to provide enhanced water security for the ACT.

The Commission is to report on:

- i. whether the projected costs of the enlarged Cotter Dam water security project are prudent and efficient in terms of meeting the water security standards required of ACTEW;
- ii. the approach taken to put in place an alliance arrangement with contractors to secure delivery of the enlarged Cotter Dam water security project to provide water security for the ACT and region;
- iii. the process undertaken to develop and test the costings of the enlarged Cotter Dam water security project at all stages from 2005 to November 2009;
- iv. the potential for any new cost variations to be incurred by ACTEW under the contractual arrangements put in place for the enlarged Cotter Dam water security project delivery;
- v. the scope for cost savings to be passed on to ACTEW to the benefit of ACT and regional water users; and
- vi. other matters the Commission considers relevant to the inquiry.

The Commission will report by the end of June 2010.

Simon Corbell MLA
Attorney General
12 November 2009