

Independent Competition and Regulatory Commission (Regulated Water and Sewerage Services) Terms of Reference Determination 2011*

Disallowable instrument DI2011–287

made under the

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

Reference for investigation under s. 15:

Pursuant to subsection 15(1) of the Act, I refer to the Independent Competition and Regulatory Commission (the 'Commission') the matter of an investigation into, and the making of a price direction for, regulated water and sewerage services provided by ACTEW Corporation Limited.

Specified requirements in relation to investigation under s.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 should take into consideration:
 - a. policies of the ACT Government as they relate to water security and the use of water;
 - b. national water initiatives, policies and agreements;
 - c. the impact of a price on carbon on the provision of water and sewerage services in the ACT;
 - d. the ability of the pricing path to match revenue recovery requirements to the consumer benefits accrued from the water security program;
 - e. all potential regulatory models, including consideration of the provision of sufficient flexibility in price setting across the regulatory period to minimise the impact of significant price fluctuations;
 - f. the legislative requirements outlined in Section 20 of the Act; and
 - g. any other matters the commission considers relevant to the enquiry.

*Name amended under Legislation Act, s 60

2. In accordance with subsection 16(2)(a) of the Act, the Commission is to provide its final report by 1 May 2013.

Andrew Barr MLA
Treasurer
13 October 2011