

Australian Capital Territory

**Utilities Exemption 2004 (No 1)**

**Disallowable Instrument DI2004-20**

**EXPLANATORY STATEMENT**

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The *Utilities Act 2000* (the “Act”) requires persons providing utility services in the ACT to hold appropriate operating licences. Section 22 of the Act provides that in some circumstances the Minister may exempt a person from this requirement.

ActewAGL Distribution has been granted an exemption from the requirement to hold a licence to provide gas transmission services for a period not exceeding 9 months from the date of this notice.

The circumstances surrounding the gas transmission services provided by ActewAGL Distribution are exceptional and of a short-term nature. To help ease gas supply shortages in New South Wales as a result of the Moomba gas plant explosion in January 2004, ActewAGL Distribution is seeking to transport gas through its pipeline from the Eastern Gas Pipeline at Hoskinstown to the Moomba-Sydney pipeline at Dalton. Currently ActewAGL Distribution holds a licence to provide gas distribution and connection services in the ACT. ActewAGL is not licensed to provide gas transmission services. The service will cease once full gas supply from the Moomba Plant is restored.