

Australian Capital Territory

## Utilities (Exemption) (No 3)

**Disallowable instrument DI2009–144**

made under the

**Utilities Act 2000, section 22, (Exemption)**

### EXPLANATORY STATEMENT

---

The *Utilities Act 2000* (the Act), at section 22, provides that the Minister may, by the making of a disallowable instrument, exempt a person from the requirement for a licence in relation to provision of a utility service. The instrument of exemption may include compliance conditions to which the exemption is subject.

Under the Utilities Exemption 2006 (No 1) Disallowable instrument DI2006-47 TransGrid was exempted under section 22 from the requirement for a licence. It was a condition of the exemption (among other things) that by 1 July 2009 TransGrid provide another geographically separate connection point to supply electricity to the ACT network connection points.

This instrument extends the time for the provision of a separate connection point to 1 July 2011.

It does this by revoking the previous instrument and granting TransGrid, as transmission provider, an exemption under section 22 of the Act from the licensing regime. As a condition of the exemption it is a requirement that TransGrid provide a separate connection point by 1 July 2011.

In effect the new instrument amends the old instrument by changing Yes for 1 July 2009 and 1 July 2010 to No in column 3 of Table 1. Changes to Column 5 of Table 1 – replacing 375 with 200 for 2009 and 2010 - are consequent upon this change.

However, to ensure that readers clearly understand the new arrangements, the previous instrument is being revoked in whole and replaced with this new instrument containing the substantive changes mentioned above.

In addition one reference to capacity in the revoked Instrument has been changed to capability and Noted has been changed to Note.