

Utilities (Annual Licence Fees Determination 2016-17) Notice 2016

Notifiable Instrument NI2016-551

made under the

Utilities Act 2000, s 52 (Public notice of licence decisions) (see also s 45 (Determination of fee) and s 53 (Public access to licences etc))

EXPLANATORY STATEMENT

Section 45(1) of the *Utilities Act 2000* (Utilities Act) gives the Independent Competition and Regulatory Commission (Commission) the power to determine the annual licence fee payable by each utility licensed to provide a utility service in the ACT.

Section 52(1)(i) of the Utilities Act requires the Commission to prepare a notice upon making a determination of a fee under section 45. The notice is a notifiable instrument.

The three licensees subject to an annual licence fee are:

- East Australia Pipe Line Limited (gas transmission services);
- Icon Water Limited (water and sewerage services); and
- TransGrid (electricity transmission services).

The licence fee payable by each licensed utility is the amount considered by the Commission to be a reasonable contribution towards the costs incurred, or expected to be incurred for 2016-17 in relation to the regulation of utility services provided by the licensees by:

- the Independent Competition and Regulatory Commission,
- the technical regulator; and
- the ACT Civil and Administrative Tribunal.

Where there is an over or under estimation of estimated costs, the licence fee determination process provides for an adjustment of the licence fee in the following year to account for this over or under estimation.