

Australian Capital Territory

Utilities (Energy industry levy - national regulatory obligations and costs) Determination 2016

Notifiable Instrument NI2016-549

made under the

Utilities Act 2000, section 54E (National regulatory obligations and costs)

EXPLANATORY STATEMENT

Section 54E of the *Utilities Act 2000* requires the Levy Administrator, appointed under section 25N, to determine the amount of national regulatory costs to be applied to each industry sector. The determination is a notifiable instrument.

The four energy industry sectors subject to the levy are electricity distribution, electricity supply, gas distribution and gas supply.

National regulatory costs are made up of costs to the Territory of meeting its national regulatory obligations each year. The costs relate to the regulatory work of the Australian Energy Market Commission (AEMC) and the Ministerial Council on Energy (MCE)¹.

The *Utilities (Energy industry levy – national regulatory obligations and costs) Determination 2016* sets out these determinations.

For the purposes of Sections 54E, 54F, 54G, 54H(1)(a)(ii) and 54H(1)(b)(iii) of the *Utilities Act 2000*, the Levy Administrator determined for the 2015-16 Levy Year, the costs to the Territory of providing regulatory activities in relation to safety, technical operations, consumer service and environmental behaviour for GoEnergy Ltd and the administration of the levy in relation to GoEnergy Ltd was zero.

The Levy Administrator in making this determination has considered the budgets for national regulatory activities and costs incurred in the previous year for national regulatory activities. The Levy Administrator has also taken into account that GoEnergy is in administration and all of GoEnergy's customers and services have been transferred to other retailers.

¹ The MCE has been known as the COAG Energy Council since December 2013. However, as the *Utilities Act 2000* refers specifically to the MCE, the Commission will also continue to do so for consistency.