

Utilities (Annual Licence Fees Determination) Notice 2004 (No 1)

Notifiable instrument NI2004–441

made under the

Utilities Act 2000, s 52 (1) (i) (Public notice of licence decisions)

1 Name of instrument

This instrument is the *Utilities (Annual Licence Fees Determination) Notice 2004 (No 1)*.

2 Commencement

This instrument commences the day after notification.

3 Determination of licence fees

The Independent Competition and Regulatory Commission (ICRC) has determined that the Annual Licence Fees payable by licensed utilities under the *Utilities Act 2000* (the Act) for the year ending on 30 June 2005 are as set out in the attached schedule.

Table 1 sets out the costs expected to be incurred by the ICRC, the Essential Services Consumer Council and the Technical Regulator in the exercise of functions in the ACT in relation to utility services. The Annual Licence Fee determined for each utility is the amount considered by the ICRC to be a reasonable contribution by that utility to the sum of these expected costs.

In determining the licence fee payable by each utility, the ICRC had regard to:

- the extent of costs in relation to each utility;
- the annual licence fees payable by all utilities; and
- the relative scope and nature of the services provided by all utilities (as set out in Table 2).

Table 3 sets out the annual licence fee payable by each utility.

Unless otherwise agreed in writing with the ICRC, determined fees that are over \$10,000 are payable by the Licensee to the ICRC in three (3) instalments to be made on 29 December 2004, 28 February 2005 and 30 April 2005, being as nearly as practicable equal instalments. Any fees under \$10,000 are payable by 29 December 2004.

4 Public access to determination of annual licence fee

Copies of the ICRC's determination of annual licence fees are available for inspection by members of the public on the commission's Webpage (<http://www.icrc.act.gov.au>) and from the ICRC during ordinary office hours at Level 7, Eclipse House, 197 London Circuit, Civic ACT.

5 Repeal of instruments

NI 2002-226 and NI 2003-496 are repealed.

Paul Baxter
Senior Commissioner
Independent Competition and Regulatory Commission
24 November 2004

Table 1 – Expected costs relating to licences

Licensee	Utility Service	Technical Regulator	Essential Services Consumer Council	Independent Competition and Regulatory Commission	Total Licence Fee 2004/05
ActewAGL Distribution	Electricity Distribution	\$ 85,400	\$ 59,300	\$ 134,300	\$ 279,000
	Electricity Connection Service	\$ 42,700	\$ -	\$ 67,100	\$ 109,800
ActewAGL Retail	Electricity Supply	\$ -	\$ 225,600	\$ 26,100	\$ 251,700
AGL Electricity Ltd	Electricity Supply	\$ -	\$ 1,500	\$ 3,400	\$ 4,900
Country Energy	Electricity Supply	\$ -	\$ 1,500	\$ 3,900	\$ 5,400
ENERGEX Retail Pty Ltd	Electricity Supply	\$ -	\$ 1,200	\$ 3,800	\$ 5,000
EnergyAustralia	Electricity Supply	\$ -	\$ 1,500	\$ 3,500	\$ 5,000
Ergon Energy (Vic) Pty Ltd	Electricity Supply	\$ -	\$ 1,400	\$ 3,200	\$ 4,600
Ferrier Hodgson Electricity Pty Ltd	Electricity Supply	\$ -	\$ 1,400	\$ 3,200	\$ 4,600
Integral Energy Australia	Electricity Supply	\$ -	\$ 1,400	\$ 3,200	\$ 4,600
Origin Energy Electricity Ltd	Electricity Supply	\$ -	\$ 1,400	\$ 3,300	\$ 4,700
AGL Victoria Pty Ltd	Electricity Supply	\$ -	\$ 1,400	\$ 3,200	\$ 4,600
TXU Electricity Ltd	Electricity Supply	\$ -	\$ 1,400	\$ 3,200	\$ 4,600
Yallourn Energy	Electricity Supply	\$ -	\$ 1,200	\$ 3,500	\$ 4,700
East Australian Pipeline Ltd	Gas Transmission	\$ 3,300	\$ -	\$ 2,600	\$ 5,900
ActewAGL Distribution	Gas Distribution	\$ 56,800	\$ 34,300	\$ 107,200	\$ 198,300
	Gas Connection Service	\$ 28,300	\$ -	\$ 53,600	\$ 81,900
ActewAGL Retail	Gas Supply	\$ -	\$ 129,200	\$ 28,800	\$ 158,000
ENERGEX Retail Pty Ltd	Gas Supply	\$ -	\$ 1,500	\$ 7,900	\$ 9,400
Country Energy	Gas Supply	\$ -	\$ 1,500	\$ 7,900	\$ 9,400
EnergyAustralia	Gas Supply	\$ -	\$ 1,500	\$ 7,900	\$ 9,400
ACTEW Corporation Ltd	Water Collection and Treatment	\$ 16,100	\$ 2,500	\$ 13,100	\$ 31,700
	Water Network	\$ 16,100	\$ 2,500	\$ 13,100	\$ 31,700
	Water Distribution	\$ 16,100	\$ 2,500	\$ 13,100	\$ 31,700
	Water Connection Service	\$ 16,100	\$ -	\$ 13,100	\$ 29,200
	Water Supply	\$ -	\$ 30,200	\$ 28,200	\$ 58,400
	Sewerage Network	\$ 32,300	\$ 7,500	\$ 26,200	\$ 66,000
	Sewerage Connection Service	\$ 32,300	\$ -	\$ 26,200	\$ 58,500
	Sewerage Service	\$ -	\$ 30,200	\$ 28,200	\$ 58,400
Total		\$ 345,500	\$ 543,600	\$ 642,000	\$ 1,531,100

Table 2 – Scope and nature of services provided by licensee

Section of the Act/ Utility Service	Scope and nature of services
6(a) Electricity distribution	Distribution of electricity through an electricity network.
6(b) Electricity connection services	Connection of premises to an electricity distribution network; or variation of the capacity of the connection between premises and an electricity distribution network.
6(c) Electricity supply	Supply of electricity from an electricity network to premises for consumption.
9(a) Gas transmission	Transmission of gas through a gas transmission network.
9(b) Gas distribution	Distribution of gas through a gas distribution network.
9(c) Gas connection services	Connection of premises to a gas distribution network; or variation of the capacity of the connection between premises and a gas distribution network.
9(d) Gas supply	Supply gas through a gas distribution network to premises for consumption.
11(a) Water collection and treatment	Collection or treatment of water, or both, for distribution through a water network.
11(b) Water network	Making a water network available for the provision of water connection services.
11(c) Water distribution	Distribution of water through a water network.
11(d) Water connection Services	Connection of premises to a water network; or variation of the capacity of the connection between premises and a water network.
11(e) Water supply	Supply of water from a water network to premises for consumption.
13(a) Sewerage network	Making a sewerage network available for the provision of sewerage connection services.
13(b) Sewerage connection Services	Connection of premises to a sewerage network; or variation of the capacity of the connection between premises and a sewerage network.
13(c) Sewerage service	Conveyance, collection, treatment and disposal of sewage by a person from the premises of another person.

Table 3 – Annual licence fees

Licensee	Total Licence Fee 2004/05
ActewAGL Distribution (Electricity)	\$ 388,800
ActewAGL Retail (Electricity)	\$ 251,700
AGL Electricity Ltd	\$ 4,900
Country Energy (Electricity)	\$ 5,400
ENERGEX Retail Pty Ltd (Electricity)	\$ 5,000
EnergyAustralia (Electricity)	\$ 5,000
Ergon Energy (Vic) Pty Ltd	\$ 4,600
Ferrier Hodgson Electricity Pty Ltd	\$ 4,600
Intergral Energy Australia	\$ 4,600
Origin Energy Electricity Ltd	\$ 4,700
AGL Victoria Pty Ltd	\$ 4,600
TXU Electricity Ltd	\$ 4,600
Yallourn Energy	\$ 4,700
East Australian Pipeline Ltd	\$ 5,900
ActewAGL Distribution (Gas)	\$ 280,200
ActewAGL Retail (Gas)	\$ 158,000
ENERGEX Retail Pty Ltd (Gas)	\$ 9,400
Country Energy (Gas)	\$ 9,400
EnergyAustralia (Gas)	\$ 9,400
ACTEW Corporation Ltd	\$ 365,600
Total	\$ 1,531,100