

Utilities (Annual Licence Fees Determination) Notice 2005 (No 1)

Notifiable instrument NI2005–372

made under the

Utilities Act 2000, s 52 (1)

1 Name of instrument

This instrument is the *Utilities (Annual Licence Fees Determination) Notice 2005 (No 1)*.

2 Commencement

This instrument commences on the day after notification.

3 Determination of licence fees

The Independent Competition and Regulatory Commission (the Commission) 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 2006 are as set out in the attached schedule.

Table 1 sets out the costs expected to be incurred by the Commission, the Essential Services Consumer Council and the chief executive under part 5 (Technical regulation) of the Act, in the exercise of functions in the ACT or elsewhere in relation to utility services. The Annual Licence Fee determined for each utility is the amount considered by the Commission 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 Commission 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 Commission, determined fees that are over \$10,000 are payable by the Licensee to the ICRC in three (3) instalments to be made on 21 November 2005, 20 January 2006 and 20 March 2006 being as nearly as practicable equal instalments. Any fees under \$10,000 are payable by 21 November 2005.

4 Public access to determination of annual licence fees

Copies of the Commission'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.

Paul Baxter
Senior Commissioner
for the Independent Competition and Regulatory Commission
12 October 2005

Table 1: Expected costs relating to licences

Licensor	Utility Service	Technical Regulator (ACTPLA and Workcover)	Essential Services Consumer Commission	Independent Competition and Regulatory Commission	Total 2005-06 Licence Fee
ActewAGL Distribution	Electricity distribution	\$ 47,900	\$ 81,000	\$ 159,100	\$ 288,000
	Electricity connection service	\$ 23,900	\$ -	\$ 77,000	\$ 100,900
ActewAGL Retail	Electricity supply	\$ -	\$ 243,700	\$ 15,800	\$ 259,500
AGL Electricity Ltd	Electricity supply	\$ -	\$ 1,600	\$ 4,600	\$ 6,200
AGL Victoria	Electricity supply	\$ -	\$ 1,600	\$ 3,400	\$ 5,000
Aurora Energy	Electricity supply	\$ -	\$ 1,600	\$ 3,400	\$ 5,000
Country Energy	Electricity supply	\$ -	\$ 2,200	\$ 4,000	\$ 6,200
Energex	Electricity supply	\$ -	\$ 1,800	\$ 3,200	\$ 5,000
Energy Australia	Electricity supply	\$ -	\$ 3,400	\$ 2,800	\$ 6,200
EnergyOne Pty Ltd	Electricity supply	\$ -	\$ 1,600	\$ 3,400	\$ 5,000
Ergon Energy Pty Ltd	Electricity supply	\$ -	\$ 1,700	\$ 3,300	\$ 5,000
Integral Energy Australia	Electricity supply	\$ -	\$ 1,700	\$ 3,300	\$ 5,000
Origin Energy Electricity Ltd	Electricity supply	\$ -	\$ 1,700	\$ 3,300	\$ 5,000
TRUenergy Yallourn Pty Ltd	Electricity supply	\$ -	\$ 1,600	\$ 3,400	\$ 5,000
Powerdirect	Electricity supply	\$ -	\$ 1,600	\$ 3,400	\$ 5,000
East Australian Pipeline Ltd	Gas transmission	\$ 3,400	\$ -	\$ 2,500	\$ 5,900
ActewAGL Distribution	Gas distribution	\$ 59,000	\$ 39,500	\$ 108,300	\$ 206,800
	Gas connection service	\$ 29,500	\$ -	\$ 51,800	\$ 81,300
ActewAGL Retail	Gas supply	\$ 5,400	\$ 135,200	\$ 20,000	\$ 160,600
ENERGEX Gas Retail	Gas supply	\$ -	\$ 1,800	\$ 7,700	\$ 9,500
Country Energy	Gas supply	\$ -	\$ 2,000	\$ 7,500	\$ 9,500
TRUenergy Pty Ltd	Gas supply	\$ -	\$ 1,500	\$ 6,300	\$ 7,800
Energy Australia	Gas supply	\$ -	\$ 3,900	\$ 5,600	\$ 9,500
Actew Corporation	Water collection and treatment	\$ 12,400	\$ 2,700	\$ 17,000	\$ 32,100
	Water network	\$ 12,200	\$ 3,100	\$ 13,900	\$ 29,200
	Water distribution	\$ 12,200	\$ 3,100	\$ 13,900	\$ 29,200
	Water connection service	\$ 12,200	\$ -	\$ 13,900	\$ 26,100
	Water supply	\$ -	\$ 38,000	\$ 29,800	\$ 67,800
	Sewerage network	\$ 24,300	\$ 9,500	\$ 27,700	\$ 61,500
	Sewerage connection service	\$ 24,300	\$ -	\$ 27,700	\$ 52,000
	Sewerage service	\$ -	\$ 38,000	\$ 29,700	\$ 67,700
Total		\$ 266,700	\$ 625,100	\$ 676,700	\$ 1,568,500

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 2005-06
ActewAGL Distribution (Electricity)	\$ 388,900
ActewAGL Retail (Electricity)	\$ 259,500
AGL Electricity Ltd (Electricity)	\$ 6,200
AGL Victoria Pty Ltd (Electricity)	\$ 5,000
Aurora Energy Pty Ltd (Electricity)	\$ 5,000
Country Energy (Electricity)	\$ 6,200
Energex Retail Pty Ltd (Electricity)	\$ 5,000
Energy Australia (Electricity)	\$ 6,200
EnergyOne Pty Ltd (Electricity)	\$ 5,000
Ergon Energy Pty Ltd (Electricity)	\$ 5,000
Integral Energy Australia (Electricity)	\$ 5,000
Origin Energy Electricity Ltd (Electricity)	\$ 5,000
TRUenergy Yallourn Pty Ltd (Electricity)	\$ 5,000
Powerdirect Pty Ltd (Electricity)	\$ 5,000
East Australian Pipeline Limited (Gas)	\$ 5,900
ActewAGL Distribution (Gas)	\$ 288,100
ActewAGL Retail (Gas)	\$ 160,600
ENERGEX Retail Pty Ltd (Gas)	\$ 9,500
Country Energy (Gas)	\$ 9,500
TRUenergy Pty Ltd (Gas)	\$ 7,800
Energy Australia (Gas)	\$ 9,500
ACTEW Corporation Ltd	\$ 365,600
Total	\$1,568,500