

Australian Capital Territory

## **Utilities (Variation of Terms) Approval 2007 (No 1)**

**Notifiable Instrument NI2007- 190**

made under the

**Utilities Act 2000, s 91 (Notification and application of terms etc)**

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**1 Name of instrument**

This instrument is the *Utilities (Variation of Terms) Approval 2007 (No 1)*.

**2 Commencement**

This instrument commences on 1 July 2007.

**3 Approval of variation of Standard Customer Contract for electricity supply**

The ICRC approves the attached variation of the terms of ActewAGL Retail's standard customer contract for electricity supply.

**4 Public access to documents**

A record of the Commission's decision is available for inspection by members of the public between 9:00 am and 5:00 pm, Monday to Friday, at the Commission's office at Level 2, 12 Moore Street, Canberra City, ACT. Copies can be made at the Commission's office. Electronic copies are available on request. No charge will apply.

Paul Baxter  
Senior Commissioner  
for Independent Competition and Regulatory Commission  
27 June 2007

## ATTACHMENT

		<b>Current Version</b>		<b>Proposed Changes</b>
<b>Your choice of supplier</b> <b>Your choice</b>	2.1	If you consume at least 100MWh of electricity a year, you may choose to buy your electricity from another licensed supplier. This is the consumption you might expect from a suburban supermarket. The average household uses about 8 MWh a year.	2.1	You may choose to buy your electricity from another licensed supplier. If you enter into a contract for the supply of electricity to the premises with another supplier, or negotiate different terms with us, this contract will cease to apply.
	2.2	If you enter into a contract for the supply of electricity to the premises with another supplier, or negotiate different terms with us, this contract will cease to apply.		
				<i>Updated to reflect Full Retail Contestability in the ACT.</i>

<b>Other Charges</b>	6.3	We may add to your account any overdue charges incurred by you from other premises you no longer own or occupy. We will only add charges to your domestic account from other <i>residential premises</i> that you have owned or occupied.		<i>Delete as this is prohibited under the Consumer Protection Code</i>
				<i>Clause 6 has been renumbered to reflect the above changes</i>
<b>Application for supply</b>	3.1	(c) provide any of the other things referred to in clause 16 of the Consumer Protection Code or the Franchise Customer Electricity Metering Code, on request;	3.1	(c) provide any of the other things referred to in the Consumer Protection Code or the Electricity Metering Code, on request;
<b>Estimating your electricity consumption</b>	8.5	You may request us (or an <i>accredited</i> service provider) to test any of our electricity meters on the premises. The procedure in the Franchise Customer Electricity Metering Code will then apply.	8.5	You may request us (or an <i>accredited</i> service provider) to test any of our electricity meters on the premises. The procedure in the Electricity Metering Code will then apply.
<b>Testing of meters at your request</b>	8.8	You may request us (or an accredited service provider) to test any of our electricity meters on the premises. The procedure in the Franchise Customer Electricity Metering Code will then apply.	8.8	You may request us (or an accredited service provider) to test any of our electricity meters on the premises. The procedure in the Electricity Metering Code will then apply.
	8.9	We will refund the cost of the test if it shows the meter is defective as defined in the Franchise Customer Electricity Metering Code.	8.9	We will refund the cost of the test if it shows the meter is defective as defined in the Electricity Metering Code.
				<i>Amended to reflect the change to the title of the relevant Code and to ensure that references are made just to the Code to avoid outdated clause references</i>
<b>Removal of footnotes</b>		There are a number of footnotes contained throughout the document.		<i>The footnotes were an aid used internally and were mistakenly published- some references are to the original consumer protection code and are outdated</i>

**ActewAGL Retail**  
**Schedule of charges for standard retail electricity supply**  
**2007-2008**

ActewAGL proposes that charges contained in the following schedule should be payable to ActewAGL Retail for, or in connection with, the supply of electricity to transitional franchise tariff customers, with effect, unless otherwise stated, on and from 1 July 2007. The schedule includes goods and services tax (GST) of ten per cent where stated.

		<b>2006-07 GST exclusive rate</b>	<b>2007-08 GST exclusive rate</b>	<b>2007-08 GST inclusive rate</b>
<b>1.</b>	<b>Always Home@ActewAGL plan</b>			
	The Always Home@ActewAGL plan charge shall be: <ul style="list-style-type: none"> <li>▪ a supply charge per day</li> <li>▪ or if the customer pays their electricity account through the ActewAGL direct debit arrangements*, a supply charge per day of</li> <li>▪ all consumption</li> </ul>	39.40c  34.40c 10.30c per kWh	44.40c  39.40c 12.10c per kWh	48.84c  43.34c 13.31c per kWh
<b>2.</b>	<b>Always Home@ActewAGL Saver plan</b>			
	The Always Home@ActewAGL Saver plan charge shall be: <ul style="list-style-type: none"> <li>▪ a supply charge per day</li> <li>▪ or if the customer pays their electricity account through the ActewAGL direct debit arrangements*, a supply charge per day of</li> <li>▪ consumption for the first 60 kWh per day</li> <li>▪ consumption thereafter</li> </ul>	60.00c  55.00c 8.75c per kWh 10.30c per kWh	65.00c  60.00c 10.55c per kWh 12.10c per kWh	71.50c  66.00c 11.605c per kWh 13.31c per kWh
<b>3.</b>	<b>Always Home@ActewAGL Saver Plus plan</b>			
	The Always Home@ActewAGL Saver Plus plan charge shall be: <ul style="list-style-type: none"> <li>▪ a supply charge per day</li> <li>▪ or if the customer pays their electricity account through the ActewAGL direct debit arrangements*, a supply charge per day of</li> <li>▪ consumption for the first 165 kWh per day</li> </ul>	\$1.03  98.00c 7.30c per kWh	\$1.08  \$1.03 9.10c per kWh	\$1.188  1.133 10.01c per kWh

		2006-07 GST exclusive rate	2007-08 GST exclusive rate	2007-08 GST inclusive rate
	<ul style="list-style-type: none"> <li>▪ consumption thereafter</li> </ul>	10.30c per kWh	12.10c per kWh	13.31c per kWh
* Note: the direct debit discount does not apply to direct debits against a credit card.				
<b>4.</b>	<b>Business plan</b>			
	The Business plan charge shall be: <ul style="list-style-type: none"> <li>▪ a supply charge per day</li> <li>▪ consumption for first 330 kWh per day</li> <li>▪ consumption thereafter</li> </ul>	56.00c 13.00c per kWh 14.95c per kWh	64.00c 15.20c per kWh 17.15c per kWh	70.40c 16.72c per kWh 18.865c per kWh
<b>5.</b>	<b>Community services discount (obsolete)</b>			
	The community service discount shall be: <ul style="list-style-type: none"> <li>▪ a supply charge per day</li> </ul> The community services discount on the Business plan energy rates shall be at the rate of three per cent.	56.00c	64.00c	70.40c
<b>6.</b>	<b>Off-peak 1 / 2 (obsolete)</b>			
	The off-peak 1 / 2 charge shall be: <ul style="list-style-type: none"> <li>▪ all consumption</li> </ul>	6.30c per kWh	7.35c per kWh	8.085c per kWh
<b>7.</b>	<b>Off-Peak Saver Electricity plan</b>			
	The Off-Peak Saver Electricity plan charge shall be: <ul style="list-style-type: none"> <li>▪ all consumption</li> </ul>	7.10c per kWh	8.35c per kWh	9.185c per kWh
<b>8.</b>	<b>Streetlighting</b>			
	The streetlighting charge shall be: <ul style="list-style-type: none"> <li>▪ a supply charge per day (per account)</li> <li>▪ all consumption</li> </ul>	56.00c 10.00c per kWh	64.00c 11.65c per kWh	70.40c 12.815c per kWh
<b>9.</b>	<b>Business Incentive plan</b>			
	The Business Incentive plan charge shall be: <ul style="list-style-type: none"> <li>▪ a supply charge per day</li> <li>▪ for energy at business times (as defined)</li> <li>▪ for energy at evening times (as defined)</li> </ul>	\$1.20 17.80c per kWh 12.85c per kWh	75.00c 20.35c per kWh 14.85c per kWh	82.50c 22.385c per kWh 16.335c per kWh

		2006-07 GST exclusive rate	2007-08 GST exclusive rate	2007-08 GST inclusive rate
	<ul style="list-style-type: none"> <li>▪ for energy at off-peak times (as defined)</li> </ul>	7.05c per kWh	8.50c per kWh	9.35c per kWh
<b>10.</b>	<b>Low voltage time of use demand</b>			
	<p>The LV time of use demand charge shall be:</p> <ul style="list-style-type: none"> <li>▪ a supply charge per connection point per day</li> <li>▪ for maximum demand in a billing period, a charge per day of</li> <li>▪ for energy at business times (as defined)</li> <li>▪ for energy at evening times (as defined)</li> <li>▪ for energy at off-peak times (as defined)</li> </ul>	<p>\$2.20</p> <p>30.00c per kVA</p> <p>10.30c per kWh</p> <p>9.65c per kWh</p> <p>5.80c per kWh</p>	<p>\$2.30</p> <p>32.00c per kVA</p> <p>12.35c per kWh</p> <p>11.30c per kWh</p> <p>7.15c per kWh</p>	<p>\$2.53</p> <p>35.20c per kVA</p> <p>13.585c per kWh</p> <p>12.43c per kWh</p> <p>7.865c per kWh</p>
<b>11.</b>	<b>High voltage time of use demand</b>			
	<p>The HV time of use demand charge shall be:</p> <ul style="list-style-type: none"> <li>▪ a supply charge per connection point per day</li> <li>▪ for maximum demand in a billing period, a charge per day of</li> <li>▪ for the maximum demand over the previous 12-month period, a capacity charge per day of</li> <li>▪ for energy at business times (as defined)</li> <li>▪ for energy at evening times (as defined)</li> <li>▪ for energy at off-peak times (as defined)</li> </ul>	<p>\$14.00</p> <p>12.00c per kVA</p> <p>12.00c per kVA</p> <p>10.10c per kWh</p> <p>9.30c per kWh</p> <p>5.60c per kWh</p>	<p>\$15.00</p> <p>13.00c per kVA</p> <p>13.00c per kVA</p> <p>11.40c per kWh</p> <p>10.80c per kWh</p> <p>6.90c per kWh</p>	<p>\$16.50</p> <p>14.30c per kVA</p> <p>14.30c per kVA</p> <p>12.54c per kWh</p> <p>11.88c per kWh</p> <p>7.59c per kWh</p>
<b>12.</b>	<b>Miscellaneous energy charges</b>			
	<p>Small unmetered loads:</p> <ul style="list-style-type: none"> <li>▪ a supply charge per national metering indicator per day</li> <li>▪ all consumption</li> </ul>		<p>50.00c</p> <p>16.90c per kWh</p>	<p>55.00c</p> <p>18.59c per kWh</p>

### **13. Application of rates**

**13.1** The charge applicable for supply to each installation shall be in accordance with the following classification of premises, places and purposes.

**13.2** The **Always Home@ActewAGL plan** charge shall be applicable to installations at private dwellings, excluding serviced apartments, but including:

- living quarters for members and staff of religious orders
- living quarters on farms
- charitable homes
- retirement villages
- residential sections of nursing homes and hospitals
- residential sections of boarding schools and educational institutions
- churches, buildings or premises which are used principally for public worship
- approved caravan sites.

Serviced apartments are premises which from time to time are available for hire for accommodation for periods which may be less than one month and where service available to the apartments includes provision and laundering of bed linen.

In respect of multiple dwellings of three or more dwelling units, the Always Home@ActewAGL plan charge will only be applicable where each dwelling unit is given a separately metered supply and the account is in the name of the occupant.

When a portion of a premises is used principally for domestic purposes, loads not exceeding five kilowatts, which are used for other than domestic purposes may be supplied at the Always Home@ActewAGL plan charge. For this purpose, the loading of equipment shall be taken to be:

- for permanently connected equipment, the actual rating of the equipment
- for light fittings, 60 watts per light fitting
- for plug sockets:

sockets rated 10 amperes or 10 amperes per phase: 500 watts or 500 watts per phase

sockets rated other than 10 amperes: the wattage rating shall be taken as 50 times the current rating of the socket.

**13.3** The **Always Home@ActewAGL Saver plan** charge is available only to customers eligible for the Always Home@ActewAGL plan charge. Customers are ineligible to apply for this charge if they have been on this charge in the previous 12 months and have since been supplied energy at the Always Home@ActewAGL plan or the Always Home@ActewAGL Saver Plus plan to that premises.

**13.4** The **Always Home@ActewAGL Saver Plus plan** charge is available only to customers eligible for the Always Home@ActewAGL plan charge and who have installed a fixed operational electric appliance which incorporates a mechanical refrigeration unit and a fan or fans, arranged so that the evaporator and the condenser can be switched to heat or cool air blown through the appliance (heat pump). Customers are ineligible to apply for this charge if they have been on this charge in the previous 12 months and have since been supplied energy at the Always Home@ActewAGL plan charge or Always Home@ActewAGL Saver plan charge to that premises.

**13.5** The **Business plan charge** is available to installations not taking supply at any other defined charge except for off-peak charges, and shall include:

- installations on farms which are not living quarters and have loads exceeding five kilowatts (as defined above)

- nursing homes and hospitals, excluding residential sections
- boarding schools and educational institutions, excluding residential sections
- motels, hotels, serviced apartments and any form of accommodation used to house temporary residents for periods of less than one month at caravan parks or other temporary accommodation sites
- shops, offices, warehouses, factories, professional rooms
- social or sporting club facilities not used for domestic accommodation.

**13.6 Temporary supply** (for example, for building purposes) may be rendered at the discretion of ActewAGL Distribution. ActewAGL Distribution shall estimate the cost for single or three phase installation, of installing, dismantling, connecting and disconnecting mains, lines and apparatus. The rate chargeable for power used shall be at the Business plan charge.

**13.7 The community services discount** is obsolete. It shall be available only to existing installations receiving this discount.

**13.8 Off-peak charges** are available only to customers taking all other energy at Always Home@ActewAGL plan or Business plan rates. They are applicable to permanent heat (or cold) storage installations of a design and rating acceptable to ActewAGL, which absorb their major energy during restricted times, but which may be boosted at the principal charge at other times.

The **off-peak charge 1 / 2** (standard off-peak) is obsolete. It shall be available only to existing installations receiving this service. It shall provide operation for a minimum of six hours and a maximum of eight hours within any one day, between 2200 hours (10.00pm) and 0700 hours (7.00am). From 1 July 2004, any existing installation already connected to off-peak 1 / 2 will no longer be eligible for an additional connection to any other off-peak charge.

The **Off-Peak Saver Electricity plan** charge shall provide operation for a total of 13 hours in any one day. The said 13 hours shall be comprised of eight hours between 2200 hours (10.00pm) and 0700 hours (7.00am) and five hours between 0900 hours (9.00am) and 1700 hours (5.00pm).

The actual settings on the time switch will be nominated by ActewAGL. Times referred to in this clause are in Australian Eastern Standard Time.

The Off-Peak Saver Electricity plan charge is applicable to the following.

- Water heating storage units for which a test certificate has been issued indicating compliance with Australian Standard 1056 and having lower or upper and lower elements, but with any upper element connected to the principal charge. Rated delivery shall be not less than 160 litres.
- Water heating storage units where electricity is used to supplement other forms of energy (for example, solar).
- Storage space heating or cooling including under-floor, concrete-slab heating systems.
- Swimming or spa pool heating, and associated auxiliaries, but not to spa baths.

**13.9 The streetlighting** charge shall be applicable to the night-time lighting of streets and public ways and places.

**13.10 Time of use demand charges.**

Subject to an applicant providing at their own cost all necessary equipment together with adequate accommodation for the installation and proper maintenance of that installation all to the satisfaction of ActewAGL, time of use demand supply may be made available to that installation.



The high voltage time of use demand charge may be available to consumers taking supply at a nominal voltage not less than 11,000 volts.

### 13.11 Time periods

**Business times** are defined as from 0700 hours (7.00am) to 1700 hours (5.00pm) on working weekdays.

**Evening times** are defined as from 1700 hours (5.00pm) to 2200 hours (10.00pm) on working weekdays.

**Off-peak times** are defined as all other times.

Times referred to in this clause for time of use charges are Australian Eastern Standard Time. Working weekdays are Monday to Friday excluding declared public holidays in the ACT.

### 13.12 Meter readings

Meter readings (other than readings taken at the termination of supply) shall be taken to the nearest 10 kilowatt hours (kWh). The billing period for the purpose of determining the maximum demand charge shall be one month or part thereof where a customer changes their retail supplier.

Supply and miscellaneous energy charges shall be applied per connection point and applied daily.

		2006-07 GST- exclusive rate	2007-08 GST- exclusive rate	2006-07 GST inclusive rate
<b>14.</b>	<b>Service charges</b>			
14.1	For establishment of a new customer account	\$26.09	\$26.95	\$29.65
14.2	For visit to re-energise or de-energise a premises: <ul style="list-style-type: none"> <li>▪ business hours re-energise</li> <li>▪ after hours re-energise</li> <li>▪ business hours de-energise (not for late payment)</li> </ul>	\$42.73 \$90.91 \$38.18	\$43.64 \$94.55 \$40.00	\$48.00 \$104.00 \$44.00
14.3	Special meter read; for example check read (second within a billing period)	\$27.27	\$28.18	\$31.00
14.4	Disconnection notification fee (for late payment)	\$12.09	\$12.45	\$13.70
14.5	Attendance (debt collection) first visit in a 12-month period (in business hours)	\$45.45	45.45	50.00
	Attendance (debt collection) within a year of a previous visit (in business hours)	\$60.00	61.82	68.00
14.6	For a visit to de-energise electricity to a premises for late payment.	\$70.91	73.82	81.20
<b>15.</b>	<b>Miscellaneous charges</b>			
15.1	Dishonoured cheque and credit card reversal (administration charge):			

		<b>2006-07 GST- exclusive rate</b>	<b>2007-08 GST- exclusive rate</b>	<b>2006-07 GST inclusive rate</b>
	<ul style="list-style-type: none"> <li>▪ the greater of</li> </ul>	\$11.27 per account or \$27.27 per cheque or reversal	\$12.00 per account or \$28.00 per cheque or reversal	\$13.20 per account or \$30.80 per cheque or reversal
15.2	Direct debt reject (administration charge)	\$8.00 per reject	\$8.00	\$8.80
15.3	Refund (administration charge other than first in a 12-month period)	\$27.27 per refund	\$27.27 per refund	\$30.00 per refund

**16. Domestic solar generation**

If a customer has a grid-connected, solar energy generation system, the following arrangements shall apply. The customer will pay the published charge for the net amount of the energy imported from ActewAGL's network. In the event that the customer is a net exporter of energy over a billing period, then ActewAGL will purchase the net energy exported at a rate of 7.4c per kilowatt hour. The customer will continue to pay the supply charge. This arrangement is available only to domestic customers with less than 10 kilowatts installed capacity of solar generation. ActewAGL will own any renewable energy credits associated with these arrangements.

**17. Payment assistance**

ActewAGL offers a range of flexible payment options. If you would like information on these or if you need payment assistance, call us on 13 14 93. If you genuinely cannot afford to pay your account and ActewAGL is unable to assist, you may also call the Essential Services Consumer Council (ESCC) on 6207 7740 for an application form.