

Utilities (Annual Licence Fees Determination 2013-14) Notice 2013

Notifiable Instrument NI2013-433

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))

1 Name of instrument

This instrument is the *Utilities (Annual Licence Fees Determination 2013-14) Notice 2013*.

2 Commencement

This instrument commences on the day after it is notified.

3 Revocation of 2012-13 Annual Licence Fee Determination

This instrument revokes the *Utilities (Annual Licence Fees Determination) Notice 2012* (NI2012-561).

4 Determination of licence fees

The Independent Competition and Regulatory Commission (the Commission) gives notice that the Commission has determined the annual licence fees payable by licensed utilities under the *Utilities Act 2000* for the year ending on 30 June 2014, as set out in the attached schedule (tables 1 to 3).

Table 1 sets out the licence fees for 2013-14 payable by East Australian Pipeline Limited (licensed to supply gas transmission services) and ACTEW Corporation Limited (licensed to supply water and sewerage services).

Table 2 sets out the total estimated regulatory costs for the three ACT government agencies, namely the Commission, the ACT Civil and Administrative Tribunal, and the Environment and Sustainable Development Directorate.

Table 3 sets out the derivation of the licence fees payable including the adjustment for differences between the total estimated regulatory costs for 2012-13 and the total actual regulatory costs for 2012-13.

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

- What it considered the utilities should make as a reasonable contribution towards the costs incurred or expected to be incurred by the three agencies;
- the amount of the fee and the way it is worked out; and
- the relative scope and nature of the services provided by all utilities.

Unless otherwise agreed in writing with the Commission, determined fees, shown in table 1, are payable by the licensee to the Commission in three (3) equal instalments to be paid by:

- 30 November 2013
- 31 January 2014
- 31 March 2014

5 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 (www.icrc.act.gov.au);
- at the Commission's offices (located at Level 8, 221 London Circuit, Canberra City, ACT) during ordinary office hours; and
- on the ACT Legislation Register (www.legislation.act.gov.au).

A person may inspect a determination without charge, and may make a copy of all or any part of the document. No charge will apply.

Malcolm Gray
Senior Commissioner
Independent Competition and Regulatory Commission
26 September 2013

SCHEDULE

Table 1: Licence fees payable for 2013-14¹

| Licensee | Licence fees payable (\$) |
|----------------------------------|---------------------------|
| East Australian Pipeline Limited | 24,042 |
| ACTEW Corporation Ltd | 611,947 |
| Total | 635,989 |

Note:

¹ licence fees determined for 2013-14 are based on estimated regulatory costs to be incurred during 2013-14 by the three ACT government agencies (the Commission, the ACT Civil and Administrative Tribunal, and the Environment and Sustainable Development Directorate. The fees also take account of any under or over recovery resulting from the difference in costs between those estimated for 2012-13 and the actual costs incurred by the agencies for that year.

Table 2: Total estimated regulatory costs for each government entity for 2013-14

| Licensee | Utility service component provided | ESDD (\$) | ACAT (\$) | ICRC (\$) | Totals (\$) |
|----------------------------------|------------------------------------|----------------|---------------|----------------|----------------|
| East Australian Pipeline Limited | Gas transmission | 37,160 | 0 | 1,500 | 38,660 |
| ACTEW Corporation Ltd | Water and sewerage services | 505,056 | 67,017 | 132,240 | 704,313 |
| Total | | 542,216 | 67,017 | 133,740 | 742,973 |

Notes:

¹ Environment and Sustainable Development Directorate.

² ACT Civil and Administrative Tribunal.

³ Independent Competition and Regulatory Commission.

Table 3: Derivation of licence fees payable for gas transmission, and water and sewerage utility services for 2013-

| Licensee | Total estimated regulatory costs for 2012-13 | Total actual regulatory costs for 2012-13 | Over (+) or under (-) recovery for 2012-13 | Total estimated regulatory costs for 2013-14 | Licence fees determined for 2013-14 (\$) |
|----------------------------------|--|---|--|--|--|
| East Australian Pipeline Limited | 52,089 | 37,471 | 14,618 | 38,660 | 24,042 |
| ACTEW Corporation Ltd | 853,250 | 760,884 | 92,366 | 704,313 | 611,947 |
| Total | 905,339 | 798,355 | 106,984 | 742,973 | 635,989 |