

Utilities (Annual Licence Fees Determination 2015-16) Notice 2015

Notifiable Instrument NI2015-563

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 2015-16) Notice 2015*.

2 Commencement

This instrument commences on the day after it is notified.

3 Revocation of 2014-15 Annual Licence Fee Determination

This instrument revokes the *Utilities (Annual Licence Fees Determination 2014-15) Notice 2014* (NI2014-469).

4 Determination of licence fees

The Independent Competition and Regulatory Commission (Commission) gives notice that it has determined the annual licence fees payable by licensed utilities under the *Utilities Act 2000* for the year ending on 30 June 2016, as set out in the attached schedule (tables 1 to 5).

Tables 1 sets out the licence fees for 2015-16 payable by:

- East Australian Pipeline Limited (licensed to supply gas transmission services);
- Icon Water Limited (licensed to supply water and sewerage services); and
- TransGrid (licensed to provide electricity transmission services).

Table 2 sets out the derivation of the licence fees payable including the adjustment for the difference between the total estimated regulatory costs for 2014-15 and the total actual regulatory costs for 2014-15.

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 regulators;
- 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.

Tables 3-5 set out the total regulatory costs for the three ACT government utility regulators used in the derivation of the annual licence fees, namely:

- the Commission;
- the ACT Civil and Administrative Tribunal; and
- the technical regulator.

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 2015
- 31 January 2016
- 31 March 2016

5 Public access to determination of annual licence fees

Copies of this determination of annual licence fees are available for inspection by members of the public:

- 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
23 September 2015

SCHEDULE

Table 1: Licence fees payable for 2015-16¹

Licensee	Licence fees payable (\$)
East Australian Pipeline Limited	64,289.54
Icon Water Limited	870,546.96
TransGrid	105,299.07
Total	1,040,135.57

¹ Licence fees determined for 2015-16 are based on estimated regulatory costs to be incurred during 2015-16 by the three ACT government regulators (the Commission, the ACT Civil and Administrative Tribunal, and the technical regulator). The fees also take account of any under or over recovery resulting from the difference in costs between those estimated for 2014-15 and the actual costs incurred by the regulators for that year.

Table 2: Derivation of licence fees payable for 2015-16

Licensee	Total estimated regulatory costs for 2014-15	Total actual regulatory costs for 2014-15	Over (+) or under (-) recovery for 2014-15	Total estimated regulatory costs for 2015-16	Licence fees determined for 2015-16
East Australian Pipeline Limited	40,660.00	47,142.83	-6,482.83	57,806.71	64,289.54
Icon Water Limited	767,062.22	749,569.66	17,492.56	888,039.52	870,546.96
TransGrid ¹	0.00	51,385.46	-51,385.46	53,913.62	105,299.07
Total	807,722.22	848,097.95	-40,375.73	999,759.85	1,040,135.57

¹ TransGrid was granted a utility licence during the 2014-15 regulatory year (24 February 2015) and as such did not have any estimated regulatory costs for that year (as was estimated in September 2014). Due to entering the licensing framework in 2014-15, TransGrid's under-recovery for the year is also their total actual regulatory costs accrued for the year.

Table 3: Total estimated regulatory costs for each government regulator for 2014-15

Licensee	Utility service component provided	TR (\$)	ACAT (\$)	ICRC (\$)	Totals (\$)
East Australian Pipeline Limited	Gas transmission	38,160.00	0.00	2,500.00	40,660.00
Icon Water Limited	Water and sewerage services	560,056.00	74,506.22	132,500.00	767,062.22
TransGrid	Electricity transmission	0.00	0.00	0.00	0.00
Total		598,216.00	74,506.22	135,000.00	807,722.22

Table 4: Total actual regulatory costs for each government regulator for 2014-15

Licensee	Utility service component provided	TR (\$)	ACAT (\$)	ICRC (\$)	Totals (\$)
East Australian Pipeline Limited	Gas transmission	45,642.83	0.00	1,500.00	47,142.83
Icon Water Limited	Water and sewerage services	520,189.63	96,016.03	133,364.00	749,569.66
TransGrid	Electricity transmission	36,385.46	0.00	15,000.00	51,385.46
Total		602,217.92	96,016.03	149,864.00	848,097.95

Table 5: Total estimated regulatory costs for each government regulator for 2015-16

Licensee	Utility service component provided	TR (\$)	ACAT (\$)	ICRC (\$)	Totals (\$)
East Australian Pipeline Limited	Gas transmission	56,306.71	0.00	1,500.00	57,806.71
Icon Water Limited	Water and sewerage services	668,138.44	86,901.08	133,000.00	888,039.52
TransGrid	Electricity transmission	46,413.62	0.00	7,500.00	53,913.62
Total		770,858.77	86,901.08	142,000.00	999,759.85