

Utilities (Annual Licence Fees Determination 2019–20) Notice 2019

Notifiable Instrument NI2019–633

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 2019–20) Notice 2019*.

2 Commencement

This instrument commences on the day after it is notified.

3 Revocation of 2018–19 Annual Licence Fee Determination

This instrument revokes the *Utilities (Annual Licence Fees Determination 2018–19) Notice 2018* (NI2018–540).

4 Findings on regulatory costs and derivation 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 30 June 2020, as set out in the attached schedule (tables 1 to 6). Note that figures in the tables may not add up due to rounding.

Table 1 sets out the licence fees for 2019–20 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, in full as a lump sum, including the adjustment for the difference between the total estimated regulatory costs for 2018–19 and the total actual regulatory costs for 2018–19.

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 3-6 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.

5 Public access to determination of annual licence fees

Copies of this determination of annual licence fees are made available to members of the public by contacting the Commission on 02 6205 0799.

Copies are also available on the Commission's website (www.icrc.act.gov.au) and on the ACT Legislation Register (www.legislation.act.gov.au).

Joe Dimasi
Senior Commissioner
25 September 2019

SCHEDULE

Table 1: Licence fees payable for 2019–20¹

Licensee	Licence fees payable (\$)
East Australian Pipeline Limited	16,315.19
Icon Water Limited	1,037,050.79
TransGrid	80,198.29
Total	1,133,564.26

¹ Licence fees determined for 2019–20 are based on estimated regulatory costs to be incurred during 2019–20 by the three ACT government regulators (the Commission, the ACT Civil and Administrative Tribunal, and the Utilities Technical Regulator). The fees also take account of any under- or over-recovery resulting from the difference in costs between those estimated for 2018–19 and the actual costs incurred by the regulators for that year.

Note: Totals may not add due to rounding.

Table 2: Derivation of licence fees payable for 2019–20

Licensee	Total estimated regulatory costs for 2018–19	Total actual regulatory costs for 2018–19	Over (+) or under (-) recovery for 2018–19	Total estimated regulatory costs for 2019–20	Non-regulatory adjustment for 2018–19 ²	Licence fees determined for 2019–20
East Australian Pipeline Limited	8,247.00	8,442.49	-195.49	16,125.00	5.30	16,315.19
Icon Water Limited	974,363.23	855,674.39	118,688.84	1,156,881.31	1,141.68	1,037,050.79
TransGrid	93,385.00	82,665.30	10,719.70	90,970.00	52.01	80,198.29
Total	1,075,995.23	946,782.18	129,213.05	1,263,976.31	1,199.00	1,133,564.26

² A non-regulatory adjustment is an adjustment to the final determined licence fee paid by a utility for an amount of money that is unrelated to a regulator's costs. For example, interest accrued on fee monies collected by the Commission prior to the funds being passed on to the regulator.

Note: Totals may not add due to rounding.

Table 3: Total estimated regulatory costs for each government regulator for 2018–19

Licensee	Utility service component provided	TR (\$)	ACAT (\$)	ICRC (\$)	Totals (\$)
East Australian Pipeline Limited	Gas transmission	5,947.00	0.00	2,300.00	8,247.00
Icon Water Limited	Water and sewerage services	517,731.00	116,232.23	340,400.00	974,363.23
TransGrid	Electricity transmission	91,085.00	0.00	2,300.00	93,385.00
Total		614,763.00	116,232.23	345,000.00	1,075,995.23

Note: Totals may not add due to rounding.

Table 4: Total actual regulatory costs for each government regulator for 2018–19

Licensee	Utility service component provided	TR (\$)	ACAT (\$)	ICRC (\$)	Totals (\$)
East Australian Pipeline Limited	Gas transmission	6,142.49	0.00	2,300.00	8,442.49
Icon Water Limited	Water and sewerage services	414,980.12	95,080.27	345,614.00	855,674.39
TransGrid	Electricity transmission	80,365.30	0.00	2,300.00	82,665.30
Total		501,487.91	95,080.27	350,214.00	946,782.18

Note: Totals may not add due to rounding.

Table 5: Over (+) or under (-) recovery for each government regulator for 2018–19

Licensee	Utility service component provided	TR (\$)	ACAT (\$)	ICRC (\$)	Totals (\$)
East Australian Pipeline Limited	Gas transmission	-195.49	0.00	0.00	-195.49
Icon Water Limited	Water and sewerage services	102,750.88	21,151.96	-5,214.00	118,688.84
TransGrid	Electricity transmission	10,719.70	0.00	0.00	10,719.70
Total		113,275.09	21,151.96	-5,214.00	129,213.05

Note: Totals may not add due to rounding.

Table 6: Total estimated regulatory costs for each government regulator for 2019–20

Licensee	Utility service component provided	TR (\$)	ACAT (\$)	ICRC (\$)	Totals (\$)
East Australian Pipeline Limited	Gas transmission	13,825.00	0.00	2,300.00	16,125.00
Icon Water Limited	Water and sewerage services	418,039.00	111,976.31	626,866.00	1,156,881.31
TransGrid	Electricity transmission	88,670.00	0.00	2,300.00	90,970.00
Total		520,534.00	111,976.31	631,466.00	1,263,976.31

Note: Totals may not add due to rounding.