Australian Capital Territory

**Utilities (Technical Regulation) (Operating Certificate Fees) Determination 2023**

**Disallowable instrument DI2023–111**

made under the

**Utilities (Technical Regulation) Act 2014, s 110 (Determination of fees)**

1. **Name of instrument**

This instrument is the *Utilities (Technical Regulation) (Operating Certificate Fees) Determination 2023*.

1. **Commencement**

This instrument commences on 1 July 2023.

1. **Determination of fees**

The fee payable in respect of each item listed in column 3 of schedules 1 and 2 is the amount for that item listed in column 4.

1. **Payment of fees**
	1. A fee listed in column 4 of item 1 of schedule 1 is payable to the ACT Government by the person applying for an operating certificate described in the corresponding entry in column 3.
	2. A fee listed in column 4 of items 2 and 3 of schedule 1 is payable to the ACT Government by the unlicensed regulated utility holding an operating certificate.
	3. A fee listed in column 4 of items 1, 2 and 3 of schedule 2 is payable to the ACT Government by the person requesting the goods or services described in the corresponding entry in column 3.
	4. A fee listed in column 4 of item 4 of schedule 2 is payable to the ACT Government by the unlicensed regulated utility holding an operating certificate.
2. **Timing of payment of fees**

The fees listed in column 4 of schedules 1 and 2 are payable on the date the matter is invoiced.

1. **Waiver of fees in public interest**

The Technical Regulator may waive a fee listed in schedules 1 and 2, in full or in part, if the Technical Regulator reasonably believes that it is in the public interest to waive the fee.

1. **Refund or extension of time to pay fees**
2. The Technical Regulator may refund, completely or partly, a fee payable under schedules 1 and 2, if the Technical Regulator believes it would be fair and reasonable to refund all or part of the fee.
3. The Technical Regulator may grant an extension of time for the payment of a fee payable under schedules 1 and 2 if the Technical Regulator believes it would be fair and reasonable to do so.
4. **Revocation**

This instrument revokes the *Utilities (Technical Regulation) (Operating Certificate Fees) Determination 2022* (DI2022-89).

Ben Ponton

Technical Regulator

15 June 2023

**Schedule 1 Operating certificate fees for unlicensed regulated utilities providing regulated utility services (other than solar installations 200kW‑1MW)**

(see s 3)

|  |  |  |  |
| --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** |
| **Item number** | **Relevant section of the Act (for information only)**  | **Matter for which fee is payable** | **Fee payable$** |
| **1 July 2022 to 30 June 2023** | **1 July 2023 to 30 June 2024** | **1 July 2024 to 30 June 2025** | **1 July 2025 to 30 June 2026** |
| 1 | Section 46 | Grant of operating certificate – Assessment of regulatory plan – per hour | *245.50*  | **254.75** | **263.65** | **272.85** |
| 2 | Section 48 | Annual fee – Review of annual performance reports for compliance with conditions of the operating certificate – per annum | *920.70*  | **955.25** | **988.65** | **1,023.25** |
| 3 | Section 45, 48 | Regulatory activities in relation to audit and compliance of an operating certificate and development or amendment of technical codes – per hour | *245.50*  | **254.75** | **263.65** | **272.85** |
| *Notes:* Regulatory plan is defined in the approved form for applying for an operating certificate (AF2017-147). |
| The circumstances in which a regulatory plan is required are set out in the approved form for applying for an operating certificate (AF2017-147). |
| The amount for 1 July 2022 to 30 June 2023 is for comparison purposes only.  |

**Schedule 2 Operating certificate fees for solar installations 200kW-1MW**

(see s 3)

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| --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** |
| **Item Number** | **Relevant section of the Act** | **Matter for which fee is payable** | **Fee payable****$** |
| **1 July 2022 to 30 June 2023** | **1 July 2023 to 30 June 2024** | **1 July 2024 to 30 June 2025** | **1 July 2025 to 30 June 2026** |
| 1 | 46 | Grant of operating certificate – Assessment of application and supporting information **\*** | 200kW to < 1MW | *1,243.10*  | **1,289.75** | **1,334.90** | **1,381.60** |
| 2 | 46 | Grant of operating certificate – Inspection by electrical inspectorate | 200 kW to < 400 kW | *2,219.40*  | **2,302.65** | **2,383.25** | **2,466.65** |
| 400 kW to < 600 kW | *3,329.20*  | **3,454.00** | **3,574.90** | **3,700.00** |
| 600 kW to < 800 kW | *4,438.90*  | **4,605.35** | **4,766.50** | **4,933.35** |
| 800 kW to < 1MW | *5,548.60*  | **5,756.70** | **5,958.15** | **6,166.70** |
| 3 | 46 | Grant of operating certificate – Reinspection and reassessment (if applicable) | 200 kW to < 1MW | *1,489.90*  | **1,545.75** | **1,599.85** | **1,655.85** |
| 4 | 45, 48 | Regulatory activities in relation to audit and compliance of an operating certificate – per hour | 200 kW to < 1MW | *245.20*  | **254.40** | **263.25** | **272.50** |

\*This fee is for assessment of an application and is non-refundable.

The amount for 1 July 2022 to 30 June 2023 is for comparison purposes only.