

Utilities (Annual Licence Fees Determination 2022–23) Notice 2022 (No 2)

Notifiable Instrument NI2022–572

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))

EXPLANATORY STATEMENT

Section 45(1) of the *Utilities Act 2000* (Utilities Act) gives the Independent Competition and Regulatory Commission (commission) the authority to determine the annual licence fee payable by each utility licensed to provide a utility service in the ACT.

Section 52(1)(i) of the Utilities Act requires the commission to prepare a notice upon making a determination of a fee under section 45. The notice is a notifiable instrument.

The three licensees subject to an annual licence fee for 2022–23 are:

- East Australia Pipe Line Limited (gas transmission services);
- Icon Water Limited (water and sewerage services); and
- TransGrid (electricity transmission services).

The licence fee payable by each licensed utility is the amount considered by the commission to be a reasonable contribution towards the costs incurred, or expected to be incurred for 2022–23 in relation to the regulation of utility services provided by the licensees by:

- the Independent Competition and Regulatory Commission (Commission),
- the Utilities Technical Regulator (UTR); and
- the ACT Civil and Administrative Tribunal (ACAT).

Where there is an over- or under-estimation of estimated costs for 2021–22, the licence fee determination process provides for an adjustment of the licence fee payable in the 2022–23 year to account for this over- or under-estimation.