

Utilities (Annual Licence Fees Determination) Notice 2006 (No 2)

Notifiable instrument NI2006–364

made under the

Utilities Act 2000, s 52 (1)

1 Name of instrument

This instrument is the *Utilities (Annual Licence Fees Determination) Notice 2006 (No 2)*.

2 Commencement

This instrument commences on the day after notification.

3 Determination of licence fees

The Independent Competition and Regulatory Commission (the Commission) has determined that the Annual Licence Fees payable by licensed utilities under the Utilities Act 2000 (the Act) for the year ending on 30 June 2007 are as set out in the attached schedule.

Table 1 sets out the costs expected to be incurred by the Commission, the Essential Services Consumer Council and the chief executive under part 5 (Technical regulation) of the Act, in the exercise of functions in the ACT or elsewhere in relation to utility services. The Annual Licence Fee determined for each utility is the amount considered by the Commission to be a reasonable contribution by that utility to the sum of these expected costs.

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

- the extent of costs in relation to each utility;
- the annual licence fees payable by all utilities; and
- the relative scope and nature of the services provided by all utilities (as set out in Table 2).

Table 3 sets out the annual licence fee payable by each utility.

Unless otherwise agreed in writing with the Commission, determined fees that are over \$15,000 are payable by the Licensee to the ICRC in three (3) instalments to be made on 13 October 2006, 15 December 2006 and 16 February 2007 being as nearly as practicable equal instalments. Any fees under \$15,000 are payable by 13 October 2006.

4 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 (<http://www.icrc.act.gov.au>) and from the ICRC during ordinary office hours at Level 7, Eclipse House, 197 London Circuit, Civic ACT.

Paul Baxter
Commissioner
for the Independent Competition and Regulatory Commission
04 September 2006

Table 1: Expected costs relating to licensees

Licensee	Utility Service	Technical Regulator (ACTPLA and Workcover)	Essential Services Consumer Commission	Independent Competition and Regulatory Commission	Total 2006-07 Licence Fee
ActewAGL Distribution (Electricity)	Electricity distribution	\$81,300	\$100,800	\$162,300	\$344,400
	Electricity connection service	\$40,600	\$0	\$80,000	\$120,600
ActewAGL Retail (Electricity)	Electricity supply	\$0	\$303,400	\$16,600	\$320,000
AGL Electricity Ltd (Electricity) ¹	Electricity supply	\$0	\$0	\$1,000	\$1,000
AGL Sales Pty Ltd (Electricity)	Electricity supply	\$0	\$2,000	\$7,000	\$9,000
Aurora Energy Pty Ltd (Electricity)	Electricity supply	\$0	\$2,000	\$4,000	\$6,000
Country Energy (Electricity)	Electricity supply	\$0	\$2,700	\$7,300	\$10,000
ENERGEX Retail Pty Ltd (Electricity)	Electricity supply	\$0	\$2,200	\$3,800	\$6,000
Energy Australia (Electricity)	Electricity supply	\$0	\$4,200	\$10,800	\$15,000
EnergyOne Pty Ltd (Electricity)	Electricity supply	\$0	\$2,000	\$4,000	\$6,000
Ergon Energy Pty Ltd (Electricity)	Electricity supply	\$0	\$2,100	\$5,900	\$8,000
Integral Energy Australia (Electricity)	Electricity supply	\$0	\$2,100	\$7,900	\$10,000
Origin Energy Electricity Ltd (Electricity)	Electricity supply	\$0	\$2,100	\$5,900	\$8,000
Powerdirect Pty Ltd (Electricity)	Electricity supply	\$0	\$2,000	\$4,000	\$6,000
Red Energy (Electricity)	Electricity supply	\$0	\$2,000	\$4,000	\$6,000
TRUenergy Pty Ltd (Electricity)	Electricity supply	\$0	\$2,000	\$4,000	\$6,000
TRUenergy Yallourn Pty Ltd (Electricity)	Electricity supply	\$0	\$2,000	\$6,000	\$8,000
East Australian Pipeline Limited (Gas)	Gas transmission	\$5,800	\$0	\$200	\$6,000
ActewAGL Distribution (Gas)	Gas distribution	\$100,100	\$49,200	\$101,900	\$251,200
	Gas connection service	\$50,100	\$0	\$48,700	\$98,800
ActewAGL Retail (Gas)	Gas supply	\$9,200	\$168,300	\$17,500	\$195,000
ENERGEX Retail Pty Ltd (Gas)	Gas supply	\$0	\$2,200	\$8,800	\$11,000
Country Energy (Gas)	Gas supply	\$0	\$2,500	\$10,500	\$13,000
TRUenergy Pty Ltd (Gas)	Gas supply	\$0	\$1,900	\$9,100	\$11,000
Energy Australia (Gas)	Gas supply	\$0	\$4,900	\$10,100	\$15,000
ACTEW Corporation Ltd	Water collection and treatment	\$21,000	\$3,400	\$14,700	\$39,100
	Water network	\$20,700	\$3,900	\$10,900	\$35,500
	Water distribution	\$20,700	\$3,900	\$10,900	\$35,500
	Water connection service	\$20,700	\$0	\$11,100	\$31,800
	Water supply	\$0	\$47,300	\$35,200	\$82,500
	Sewerage network	\$41,200	\$11,800	\$21,900	\$74,900
	Sewerage connection service	\$41,200	\$0	\$22,100	\$63,300
	Sewerage service	\$0	\$47,300	\$35,100	\$82,400
Total		\$452,600	\$780,200	\$703,200	\$1,936,000

¹ AGL Electricity Ltd surrendered their electricity retail licence effective 1 September 2006. AGL Electricity Ltd's customers are expected to be transferred to AGL Sales Pty Ltd. The total annual licence fee payable by the two entities is \$10,000.

Table 2: Scope and nature of services provided by licensee

Section of the Act/ Utility Service	Scope and nature of services
6(a) Electricity distribution	Distribution of electricity through an electricity network.
6(b) Electricity connection services	Connection of premises to an electricity distribution network; or variation of the capacity of the connection between premises and an electricity distribution network.
6(c) Electricity supply	Supply of electricity from an electricity network to premises for consumption.
9(a) Gas transmission	Transmission of gas through a gas transmission network.
9(b) Gas distribution	Distribution of gas through a gas distribution network.
9(c) Gas connection services	Connection of premises to a gas distribution network; or variation of the capacity of the connection between premises and a gas distribution network.
9(d) Gas supply	Supply gas through a gas distribution network to premises for consumption.
11(a) Water collection and treatment	Collection or treatment of water, or both, for distribution through a water network.
11(b) Water network	Making a water network available for the provision of water connection services.
11(c) Water distribution	Distribution of water through a water network.
11(d) Water connection Services	Connection of premises to a water network; or variation of the capacity of the connection between premises and a water network.
11(e) Water supply	Supply of water from a water network to premises for consumption.
13(a) Sewerage network	Making a sewerage network available for the provision of sewerage connection services.
13(b) Sewerage connection Services	Connection of premises to a sewerage network; or variation of the capacity of the connection between premises and a sewerage network.
13(c) Sewerage service	Conveyance, collection, treatment and disposal of sewage by a person from the premises of another person.

Table 3: Annual licence fees	
Licensee	Total licence fee 2006-07
ActewAGL Distribution (Electricity)	\$465,000
ActewAGL Retail (Electricity)	\$320,000
AGL Electricity Ltd (Electricity)	\$1,000
AGL Sales Pty Ltd (Electricity)	\$9,000
Aurora Energy Pty Ltd (Electricity)	\$6,000
Country Energy (Electricity)	\$10,000
ENERGEX Retail Pty Ltd (Electricity)	\$6,000
Energy Australia (Electricity)	\$15,000
EnergyOne Pty Ltd (Electricity)	\$6,000
Ergon Energy Pty Ltd (Electricity)	\$8,000
Integral Energy Australia (Electricity)	\$10,000
Origin Energy Electricity Ltd (Electricity)	\$8,000
Powerdirect Pty Ltd (Electricity)	\$6,000
Red Energy (Electricity)	\$6,000
TRUenergy Pty Ltd (Electricity)	\$6,000
TRUenergy Yallourn Pty Ltd (Electricity)	\$8,000
East Australian Pipeline Limited (Gas)	\$6,000
ActewAGL Distribution (Gas)	\$350,000
ActewAGL Retail (Gas)	\$195,000
ENERGEX Retail Pty Ltd (Gas)	\$11,000
Country Energy (Gas)	\$13,000
TRUenergy Pty Ltd (Gas)	\$11,000
Energy Australia (Gas)	\$15,000
ACTEW Corporation Ltd	\$445,000
Total	\$1,936,000