

## ENERGY INDUSTRY LEVY

# 2022 Annual data statement

In accordance with Section 54O of the *Utilities Act 2000*, the Levy Administrator is required to publish an annual statement about the data relied on by the Administrator to make energy industry levy determinations.

This statement should be read in conjunction with the relevant determinations and the Energy Industry Levy Guidance note.

## 1. National regulatory costs (54E)

In determining the national regulatory actual (2021–22) and estimated (2022–23) costs, the Levy Administrator relied upon:

- a. the 2021–22 Territory contribution to the Australian Energy Market Commission (AEMC) and Energy Ministers Meeting (EMM) (formerly the COAG Energy Council);
- b. the 2022–23 Territory estimated contribution to the AEMC and EMM;
- c. information provided by Environment, Planning and Sustainable Development Directorate in relation to costs attributable to each energy industry sector;
- d. available estimates about the budgets of AEMC for its relevant functions; and
- e. the annual payments made by the Territory in previous years for activities undertaken by EMM and the AEMC.

The data relied upon was provided by the ACT Environment, Planning and Sustainable Development Directorate.

The 2022 national regulatory cost determination can be found here:

[Utilities \(Energy industry levy - national regulatory costs\) Determination 2022](#)

## 2. Local regulatory costs (54F)

In determining the local regulatory actual (2021–22) and estimated (2022–23) costs, the Levy Administrator relied upon data submitted by three ACT regulators that outlined:

- a) total actual cost of regulation against each energy industry sector for 2021–22;
- b) details of how costs were attributed to each industry sector;
- c) explanations for any cost fluctuations; and
- d) budgeted estimated costs for the 2022–23 year.

The data was submitted to the Levy Administrator by:

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

The 2022 local regulatory cost determination can be found here:

[Utilities \(Energy industry levy – local regulatory costs\) Determination 2022](#)

### 3. Net regulatory costs (54GA)

The net regulatory cost for an energy industry sector for a year is the total regulatory cost less the total amount of licence fees determined for the energy industry sector under section 45 of the *Utilities Act 2000*.

In determining the actual (2021–22) and estimated (2022–23), the Levy Administrator relied upon:

- a) the actual (2021–22) and estimated (2022–23) national regulatory costs (see 1 above)
- b) the actual (2021–22) and estimated (2022–23) total local regulatory cost (see 2 above)
- c) advice from the Commission on the licence fees determined for any energy industry sector utilities subject to the energy industry levy.

The Commission advised that no licence fees were, or are expected to be, determined for licenced utilities that are subject to the energy industry levy in 2021–22 or 2022–23. Therefore, the net regulatory cost is equal to the total of national and local regulatory costs for 2021–22 and 2022–23.

The 2022 net regulatory cost determination can be found here:

[Utilities \(Energy industry levy – net regulatory cost\) Determination 2022](#)

### 4. Base amounts (54GA)

Under Section 54GA(2), the Levy Administrator must determine a base amount, or minimum additional cost, of regulating one additional energy utility for a period of one year. This determination is to be made every 5 years.

The Levy Administrator determined the base amount in September 2022 of \$1,350 per utility in each energy sector. Unless exceptional circumstances arise, the determination is not due to be remade until 2027.

The Levy Administrator has relied upon the 2022 determination for the base amount.

The 2022 base amount determination can be found here:

[Utilities \(Energy industry levy – base amount\) Determination 2022](#)