

Solar feed-in tariffs

Retailer contribution from 1 July 2015

Electricity — Determination
June 2015



Independent Pricing and Regulatory Tribunal

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Retailer contribution from 1 July 2015

Determination No. 1, 2015

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Contents

| | |
|--------------------------------------------------|----------|
| Preliminary | 1 |
| 1 Background | 1 |
| 2 Application of this determination | 1 |
| 3 Schedules | 1 |
| Schedule 1 Retailer Contribution | 2 |
| 1 Application | 2 |
| 2 Retailer Contribution | 2 |
| Schedule 2 Definitions and interpretation | 3 |
| 1 Definitions | 3 |
| 2 Interpretation | 4 |
| 3 Clarification notice | 5 |
| 4 Prices exclusive of GST | 5 |

Preliminary

1 Background

- (a) Under section 43ECA of the *Electricity Supply Act 1995* (NSW) (**ESA**), the Minister may refer to the Independent Pricing and Regulatory Tribunal (**IPART**), for investigation and report, the determination of the retailer benefit component payable by a Retailer to a customer under the Solar Bonus Scheme for Solar PV Exports (**Retailer Contribution**).
- (b) On 3 June 2015¹, IPART received a referral from the Minister for Industry, Resources and Energy (**Referral**) to investigate and determine the Retailer Contribution on an interim basis (**Interim Determination**).
- (c) IPART is to issue another determination as soon as practicable after this determination takes effect.
- (d) In making this determination, IPART has had regard to:
 - (1) the matters it is required to consider under the Referral; and
 - (2) the effect of the determination on competition in the retail electricity market,as required by section 43ECB of the ESA.

2 Application of this determination

- (a) This determination:
 - (1) is made pursuant to the Referral; and
 - (2) determines the Retailer Contribution, for the Interim Period.
- (b) This determination commences on the later of:
 - (1) 1 July 2015; and
 - (2) the date that it is published in the NSW Government Gazette, (**Commencement Date**).

3 Schedules

- (a) Schedule 1 sets out the Retailer Contribution for the Interim Period.
- (b) Schedule 2 sets out the definitions and the interpretation provisions.

¹ The Referral replaced the referral from the Minister for Resources and Energy dated 26 March 2014.

Schedule 1 Retailer Contribution

1 Application

This schedule sets out the Retailer Contribution for the Interim Period.

2 Retailer Contribution

The Retailer Contribution for the Interim Period is 5.1¢/kWh.

Schedule 2 Definitions and interpretation

1 Definitions

1.1 General provisions

In this determination:

Commencement Date has the meaning given in clause 2(b) of the Preliminary section of this determination.

ESA has the meaning given in clause 1(a) of the Preliminary section of this determination, being the *Electricity Supply Act 1995* (NSW).

GST has the meaning given in *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

Interim Period means the period from 1 July 2015 until this determination is replaced.

IPART has the meaning given in clause 1(a) of the Preliminary section of this determination, being the Independent Pricing and Regulatory Tribunal of New South Wales established under the *Independent Pricing and Regulatory Tribunal Act 1992* (NSW).

kWh means kilowatt hours.

National Energy Retail Law means the National Energy Retail Law set out in the schedule in the *National Energy Retail Law (South Australia) Act 2011* (SA), as amended and applied in New South Wales by the *National Energy Retail Law (Adoption) Act 2012* (NSW).

Referral has the meaning given in clause 1(b) of the Preliminary section of this determination.

Retailer has the meaning given in the National Energy Retail Law.

Retailer Contribution has the meaning given in clause 1(a) of the Preliminary section of this determination.

Solar Bonus Scheme means the scheme established under section 15A of the ESA.

Solar PV Exports means electricity produced by a complying generator (as defined in section 15A of the ESA) and supplied to the distribution network by a customer under the Solar Bonus Scheme.

Taxable Supply has the meaning given in the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

2 Interpretation

In this determination:

- (a) headings are for convenience only and do not affect the interpretation of this determination;
- (b) a reference to a schedule, annexure, clause or table is a reference to a schedule or annexure to, clause of, or table in, this determination unless otherwise indicated;
- (c) words importing the singular include the plural and vice versa;
- (d) a reference to a law or statute includes regulations, rules, codes and other instruments under it and consolidations, amendments, re-enactments or replacements of them;
- (e) where provisions of legislation referred to in this determination are renumbered, a reference to a legislative provision extends to the corresponding re-numbered provision of the legislation;
- (f) where a word is defined, other grammatical forms of that word have a corresponding meaning;
- (g) a reference to a day is to a calendar day;
- (h) a reference to a person:
 - (1) includes any company, partnership, joint venture, association, corporation, other body corporate or government agency; and
 - (2) includes a reference to the person's executors, administrators, successors, substitutes (including, but not limited to, persons taking by novation), replacements and assigns; and
- (i) a reference to an officer includes a reference to the officer which replaces it or which substantially succeeds to its powers or functions; and
- (j) a reference to a body, whether statutory or not:
 - (1) which ceases to exist; or
 - (2) whose powers or functions are transferred to another body,is a reference to the body which replaces it or which substantially succeeds to its powers or functions.

3 Clarification notice

IPART may publish a clarification notice in the NSW Government Gazette to correct any manifest error in this determination. Such a clarification notice is taken to form part of this determination.

4 Prices exclusive of GST

Prices or charges specified in this determination do not include GST. A Retailer may charge customers an additional amount equal to GST payable by the Retailer in respect of any Taxable Supply to which the amounts relate.

