

## **Solar feed-in tariffs**

Retailer contribution and benchmark range for  
1 July 2013 to 30 June 2014

**Electricity — Determination**  
June 2013





Independent Pricing and Regulatory Tribunal

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Retailer contribution and benchmark range for  
1 July 2013 to 30 June 2014

**Determination No. 6, 2013**

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ISBN 978-1-925032-21-5      Det13-06

The Tribunal members for this review are:

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Mr James Cox PSM, Chief Executive Officer and Full Time Member

Mr Simon Draper, Part Time Member

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# 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:
  - (1) the retailer benefit component payable by a Retail Supplier to a customer under the Solar Bonus Scheme for Solar PV Exports (**Retailer Contribution**); and
  - (2) the benchmark range for feed-in tariffs paid by Retail Suppliers for Solar PV Exports (**Benchmark Range**).
- (b) IPART has received a referral from the Minister for Resources and Energy to investigate and determine the Retailer Contribution and Benchmark Range the 2013/14 Year and subsequent years (**Referral**).
- (c) In making its determination, IPART has had regard to:
  - (1) the financial benefit to retailers as a result of the supply of electricity by customers under the Solar Bonus Scheme;
  - (2) the matters it is required to consider under the Referral; and
  - (3) the effect of the determination on competition in the retail electricity market,as required by section 43ECB of the ESA.
- (d) As required by the Referral:
  - (1) in making its determination on the Retailer Contribution, IPART has used the direct financial gain to retailers method, including discounts for market offers, as set out in the 2012 Final Solar Report; and
  - (2) in making its determination on the Benchmark Range, IPART has used the methodology adopted in the 2012/13 Determination.

## 2 Application of this determination

- (a) This determination:
  - (1) is made pursuant to the Referral; and
  - (2) determines:
    - (A) the Retailer Contribution; and
    - (B) the Benchmark Range,for the 2013/14 Year.

- (b) This determination commences on the later of:
  - (1) 1 July 2013; 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 and the Benchmark Range for the 2013/14 Year.
- (b) Schedule 2 sets out the definitions and the interpretation provisions.

# Schedule 1 Retailer Contribution and Benchmark Range

## **1 Application**

This schedule sets out the Retailer Contribution and Benchmark Range for the 2013/14 Year.

## **2 Retailer Contribution**

The Retailer Contribution for the 2013/14 Year is 6.6¢/kWh.

## **3 Benchmark Range**

The Benchmark Range for the 2013/14 Year is 6.6¢/kWh to 11.2¢/kWh.

## Schedule 2 Definitions and interpretation

### 1 Definitions

#### 1.1 General provisions

In this determination:

**2012 Final Solar Report** means the report published by IPART entitled *Solar feed-in tariffs: setting a fair and reasonable for electricity generated by small-scale solar PV units in NSW* (March 2012);

**2012/13 Determination** means IPART's Determination No. 4, 2012 entitled 'Solar feed-in tariffs';

**2013/14 Year** means the period from 1 July 2013 to 30 June 2014;

**Benchmark Range** has the meaning given in clause 1(a)(2) of the Preliminary section of 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);

**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;

**Referral** means the referral received by IPART on 8 April 2013 from the Minister for Resources and Energy under section 43ECA of the ESA;

**Retail Supplier** has the meaning given in the ESA;

**Retailer Contribution** has the meaning given in clause 1(a)(1) 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; and

**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
- (h) 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 Retail Supplier may charge customers an additional amount equal to GST payable by the Retail Supplier in respect of any Taxable Supply to which the amounts relate.