



ICRC

independent competition and regulatory commission

Utility Licence Annual Report 2016–17

Gas distribution and connection services

ActewAGL Distribution

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About the Utility Licence Annual Report

Under section 25(2)(d) of the Utilities Act 2000 (Utilities Act), utilities are required to report to the Independent Competition and Regulatory Commission (Commission) annually on the exercise of their functions under the statute and their compliance with licence conditions. Reports are on a financial year basis and must be submitted to the Commission within three months of the end of that year (i.e. by 1 October). The reported information forms the basis for the Commission's monitoring report for licensed utility service providers. The Commission will publish the monitoring report on the website.

This template questionnaire sets out requirements of the Commission in relation to the annual report under subsection 25(2)(d) of the Utilities Act that licensed utilities must provide to the Commission.

Section 1: Exercise of functions under the *Utilities Act 2000*, This section sets out questions in relation to functions that the utility may or must perform under the Utilities Act.

Section 2: Industry codes. This section sets out questions in relation to the utility's obligations under the Consumer Protection Code and the Gas Network Boundary Code.

Section 3: Utility licence conditions. This section sets out questions in relation to specific requirements in the utilities licence.

Section 4: Authorising and contact Officers. This section requires details of both officers with the authorising officer to sign.


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1.1 Exercise of functions under the *Utilities Act 2000*

Performance of network operations (Division 7.3)

Reporting requirement	Response	Please provide a brief explanation of the figures where there has been a reasonable variance from the previous year.
Performance of network operations (Division 7.3)		
In 2016–17, how many times did the licensee enter landholders' property to undertake network operations?	5627	Entry to landholder premises include 4,950 instances for aged meter changes.
Damage etc. to be minimised (Section 108)		
What strategies does the licensee have in place to minimise inconvenience, detriment and damage to landholders' property resulting from network operations carried out?	(1) Operations and Construction manuals and procedures; (2) Induction and ongoing annual training; (3) Landowner liaison via Jemena mail outs and/or via pipeline patrol; (4) Use of authorised and trained personnel	
In 2016–17, did the licensee receive complaints about any inconvenience, detriment or damage to landholders' property resulting from network operations carried out?	Yes	
If so, how many complaints did the licensee receive about any inconvenience, detriment or damage to landholders' property resulting from network operations?	2	

Notice to land-holder (Section 109)

In 2016–17, before the utility began network operations in relation to public land or private land, did the licensee fail in any instances to give the land-holder 7 days notice of the proposed operations?

No

If so, how many times did the licensee fail to give notice?

N/A

Did the licensee carry out any operations in urgent circumstances under section 109(5)?

Yes

If so, provide details and numbers of the incidents.

1,866**Notice about lopping trees etc. on private land (Section 110)**

In 2016–17, before the utility began network operations that involved activities as set out in sections 110(1)(a) to (c) (tree related activities), did the licensee fail to give at least 7 days notice before operations began?

No

If so, how many times did the licensee fail to give notice?

N/A

Did the licensee carry out any tree related activities in urgent circumstances under section 110(8)?

No

If so, provide details and numbers of the incidents.

N/A

Network operations affecting heritage significance (Section 110A)

In 2016–17, did the licensee conduct any network operations under notices given under sections 109 and 110 that may have affected a place or object registered, or nominated for provisional registration, under the Heritage Act 2004?

No

If so, how many times did the licensee give a copy of the notice to the heritage council?

N/A

Did the licensee give a copy of the notice at least 7 days before operations began to the heritage council each time?

No

If not, provide details as to why not for each time.

N/A

Did the licensee carry out any network operations in urgent circumstances that may have affected a place or object registered, or nominated for provisional registration, where section 110A(2) was relied on to carry out the operations?

No

If so, provide details and numbers of the incidents.

N/A

Notice to other utilities (Section 111)

In 2016–17, did the licensee receive complaints for failing to give seven days notice to other utilities before performing network operations on their land that potentially affected network facilities under the care and management of those utilities?

No

If so, how many complaints did the licensee receive?

N/A

Did the licensee carry out any network operations in urgent circumstances under section 111(6)?

No

If so, provide details and numbers of the incidents.

N/A

Removal of utility's property and waste (Section 112)

What strategies does the licensee have in place that assists it in fulfilling its obligations under section 112?

(1) Operations and Construction manuals and procedures;
(2) Induction and ongoing annual training;
(3) Use of authorised and trained personnel

In 2016–17, did the licensee undertake any activities as network operations on land for which it was not the land-holder where it did not, as soon as practicable remove from the land the items listed in section 112(1)?

No

If so, provide details.

N/A

In 2016–17, did the licensee receive complaints for failing to remove as soon as practicable from the land any items listed in section 112(1).

No

If so, how many complaints did the licensee receive?

N/A

Land to be restored (Section 113)

What strategies does the licensee have in place that assists it in fulfilling its obligations under section 113?

(1) Operations and Construction manuals and procedures;
(2) Induction and ongoing annual training;
(3) Use of authorised and trained personnel

In 2016–17, did the licensee receive complaints for failing to ensure, as soon as practicable, that the land was restored to a condition that was similar to its condition before the operations began.

No

If so, how many complaints did the licensee receive?

N/A


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1.2 Exercise of functions under the *Utilities Act 2000*

General functions

Reporting requirement	Response	Comments
Authorised people (Division 7.4)		
Were all persons authorised under section 114 (Authorised Persons) issued with photographic identity cards in 2016–17?	Yes	
Are authorised persons made aware of their obligations and entry restrictions under the Utilities Act?	Yes	
How are authorised persons made aware of their obligations and entry restrictions under the Utilities Act? Please provide a brief outline of any induction or special training, including whether the training is provided on a regular or ad hoc basis.	(1) Operations and Construction manuals and procedures; (2) Induction and ongoing annual training; (3) Use of authorised and trained personnel	
Continuity of utility services - non-payment of customer debt (Section 179)		
Did the licensee receive any written directions from the ACAT under section 179(2)?	No	
If yes, provide details of the number of directions received.	N/A	
Discharge of customer debt (Section 180)		
Did the licensee receive any written declarations from the ACAT under section 180(1)?	No	
If yes, provide details of the number of declarations received.	N/A	

Payment for loss or damage (Section 181)

Did the licensee receive any written directions from the ACAT under section 181(1) to pay a stated amount to a complainant for a loss or damage?	No	
If yes, provide details of the number of directions received.	N/A	

Community service obligations (Part 13)

In 2016–17 did the licensee receive any directions under section 221 from a minister responsible for a government program for the licensee to take a stated action that the minister considers appropriate to ensure that services are provided in accordance with a program?	No	
If yes, provide a summary of each direction and the stated action/s? Provide the summary with respect to the relevant government program.	N/A	
If yes, provide details for each direction of the determination of costs provided under sections 222, 223 and 219(c).	N/A	


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2.1 Industry codes

Consumer Protection Code 2012 (DI2012–149)

Reporting requirement	Response	Please provide a brief explanation of the figures where there has been a reasonable variance from the previous year.
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Complaints (Clause 6)

Does the licensee have in place complaints handling procedures which:

<ul style="list-style-type: none"> enables the consumer to have their complaint considered by a senior employee if not satisfied with the handling of their complaint? 	Yes	
<ul style="list-style-type: none"> deals with complaints against an agent of the licensee? 	Yes	
<ul style="list-style-type: none"> deals with the resolution of disputes between the licensee and customers or consumers? 	Yes	
<ul style="list-style-type: none"> complies with the relevant Australian Standard on complaints handling? 	Yes	
Are consumers advised of the licensee's complaints handling procedures?	Yes	
How and when are consumers advised of the licensee's complaints handling procedures?	The initial customer information package; complaints number is on bills and is included with acknowledgement of complaints. It is also included on the ActewAGL website.	
Are consumers advised of their right to lodge a complaint with ACAT in relation to services provided by the licensee?	Yes	

How and when are customers or consumers advised of their right to complain to ACAT?	Consumers are advised of this option when a meaningful response is provided. ACAT details are available on the ActewAGL website. The Deemed Standard Connection Contract also details this consumer right.
Are records of complaints made by a customer or consumer kept for not less than 12 months after the complaint is resolved?	Yes

Customer complaints

Indicator	Response	Please provide a brief explanation of the figures where there has been a reasonable variance from the previous year.
What was the total number of customer complaints ¹ received by the licensee in 2016–17?	20	
Of the complaints received in 2016–17, please advise the number of complaints received by complaint category:		
Asbestos	0	
Abolishment	0	
Address details	0	
Billing	0	
Contractor behaviour	3	
Customer Service	0	
Damage	2	
Meter	1	
New Connection	3	
Reading	0	
Recoverable works	0	
Restoration	0	
Supply	6	

¹ A complaint is defined as “any expression of dissatisfaction with an action, a proposed action, or failure to act, or in respect of a product or service offered or provided by, the licensee, and where a response is explicitly or implicitly expected.” It does not include queries or requests for advice.


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2.2 Industry codes

Consumer Protection Code 2012 (DI2012–149)

Reporting requirement	Response	Comments
Summary of Consumer and Utility Rights (Clause 9) Please provide a copy of the licensee's statement summarising the rights of a consumer and the licensee under the Utilities Act, the Consumer Protection Code and the relevant customer contract.	Available on the ActewAGL website	Your rights and obligations
Is the Summary available in: <ul style="list-style-type: none"> the 5 most common non-English languages used in the Territory; and large print? 	Yes	The summary is in English with Language Assistance noted for 7 differing cultures.
Is a copy of the Summary included in the customer's first account or earlier?	Yes	Information is available on the ActewAGL website
Obligation to pay rebate for non-compliance (Clause 11.2) If the licensee received any claims for a rebate for failing to meet the minimum service standards, specified in Schedule 1 to the Consumer Protection Code, during 2016–17, how many claims did it receive?	N/A	
If the licensee paid rebates to customers in 2016–17, how many were there?	N/A	
What was the nature of the incidents? ¹	N/A	
What was the total value in dollar amount of the rebates paid?	N/A	

¹ Which performance standard was not met and how many rebates were paid for that performance standard, for example 'Failure to Make a Connection Within the Required Timeframe'.

Customer connection times (Schedule 1: Minimum Service Standards, Standard 1)

In 2016–17, were there any customer connections that failed to meet the performance standard specified in the Consumer Protection Code? ¹	No
If yes, how many?	N/A
If any, what percentage does this represent of total connections?	N/A
Please provide reasons for any failure to meet the performance standard.	N/A

Responding to complaints (Schedule 1: Minimum Service Standards, Standard 2)

Did the licensee receive any consumer/customer complaints in 2016–17?	Yes
If yes, how many?	20
How many were responded to within 20 business days?	20

Response time to notification of problem or concern (Schedule 1: Minimum Service Standards, Standard 3)

If in 2016–17, the licensee received notifications of network problems or concerns about the licensee's network, how many did it receive?	1,866
How many of these notifications related to damage to, or a fault or problem with the Utility's Network likely to affect public health, or caused or potentially caused, substantial damage or harm to a person or property?	203
Of the notifications referred to above, how many responses were not made within six hours?	0
How many notifications related to other problems or concerns that were not likely to affect public health, or cause or potentially cause substantial damage or harm to a person or property?	1663
Of the notifications referred to above, how many responses were not made within forty-eight hours?	194
Of all notifications referred to above how many problems or concerns were not resolved in the time specified in the response?	N/A

Planned interruptions to utility services (Schedule 1: Minimum Service Standard 4)

How many planned interruptions to services were there in 2016–17?	5627	4,950 aged meter changes.
If there were instances where the utility did not provide at least four business days' notice of a planned interruption to a utility service to each premises affected, how many were there?	0	
Please provide details. ³	N/A	
If there were instances where supply was not restored within twelve hours of the initial interruption, how many were there?	0	
Please provide details. ⁴	N/A	

Unplanned interruptions (Schedule 1: Minimum Service Standards, Standard 5)

If there were unplanned interruptions to services in 2016–17, how many were there?	113	
In how many instances was supply not restored within twelve hours of the initial interruption?	0	
Please provide details. ⁴	N/A	

1 Where a physical connection already exists, reconnection must occur on the same day where the request is made before 2pm or by the end of the next business day if the request is made after 2pm.

2 A response is taken to mean the resolution of a problem or confirmation of the cause of the issue(s), if known, and advice about what corrective action is being taken to rectify the issue(s) and an

3 Please provide number of instances, the number of customers affected in each instance and reason for failure to provide 4 days' notice.

4 Please provide number of instances, the number of customers affected in each instance and reason for failure to restore supply within 12 hours of the initial interruption.



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2.3 Industry codes

Gas Network Boundary Code (DI2013–72)

Reporting requirement	Response	Comments
Boundary between gas distribution network and customers' premises (Clause 3.3) In 2016–17, were there any incidents where the boundary between a gas distribution network and a customer's premises was set at an alternative point to the point of supply?	No	The Gas Network Boundary Code 2013 removed the option of setting an alternative point to the point of supply. This question is redundant.
If so, please provide details.	N/A	


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3.1 Utility licence conditions

General conditions

Reporting requirement	Response	Comments
Licensee to notify ICRC of any material breaches (Clause 7.2)		
Were there any material breaches of the licensee's licence or any applicable law, code of practice, directions and guidelines in 2016-17?	No	
If yes, was the ICRC notified of the breaches as soon as practicable?	N/A	
Licensee to provide statement on any non-compliance (Clause 7.3)		
Did the licensee provide to the ICRC any statements of non-compliance with its obligations under clause 6.2 of its licence to comply with the Utilities Act, industry codes, technical codes, directions from the ICRC or the Technical Regulator or any applicable ring-fencing requirements?	No	
If yes, provide details or a cross reference to where these matters are discussed elsewhere in this report.	N/A	

Availability of Utility Licence Annual Report (Clause 7.5)

Was a summary of the 'Utility Licence Annual Report' (ULAR) for 2015-16 made publicly available by the Licensee? **(NOTE: This requirement specifically refers to the ULAR only, not the General Annual Report of the licensee. Whilst a summary of ULAR is required, the licensee may also make the entire ULAR publically available. Making the summary of a ULAR (or entire ULAR) publically available means placing the ULAR in a public space such as the utility's website, or making a clear and easily accessible statement on the website as to where a summary of the ULAR may be easily accessed. Simply providing a summary to a member of the public when requested and not being clear and explicit about the existence of the summary up front is not regarded as making the summary publically available).**

Yes

Please provide a link to the publicly available ULAR or a publicly available summary of the ULAR, or link to a clear and easily accessible statement on the website as to where a summary of the ULAR may be easily accessed.

[Annual Report to the ICRC for Utility Licence \(ULAR\) 2015-16 \(GAS\)](#)

Operation and compliance audits (Clause 7.6)

Provide details of how the licensee has, from time to time, undertaken audits of the services and operations authorised under its licence and of its compliance with its obligations under the licence and any law, code of practice, direction and guideline that it is to comply with under clause 6.2.

Audits are performed on the Safety and Operating Plan by Ken Cameron and Associates with the report submitted to UTR during May 2017

There are also ongoing audits on construction and maintenance activities through out the year in accordance with documented processes.

Technical and prudential criteria (Clause 8)

The licensee must, throughout the term of its licence, continue to satisfy the same technical and prudential criteria that it was required to meet as a condition of being granted the licence. Please provide a summary of details of the licensee's financial and technical capacity for 2016–17 which show it can continue to provide the services authorised in the licence.¹

Refer to the following:
 1. ActewAGL: Our year in review 2015-16
 2. Jemena - Financial statements for the year ended 31 December 2016

[ActewAGL - Our Year in Review - 2015-16](#)

Charge and assignment (Clause 10)

Were there any significant transfers in shareholdings (involving more than 50% of the shares) or changes in ownership in 2016–17?	No
If so, please provide details.	N/A

Emergency telephone service (Schedule 1: Clause 1)

Did the licensee maintain a 24 hour emergency telephone service that was accessible to the public every day of the year and be able to receive reports of escapes of gas supplied?	Yes	ActewAGL - Emergencies, faults and outages - 24 hours
How are customers and the public informed of the service?	The emergency telephone number (131 909) is displayed in the public telephone directory and on ActewAGL's website as well as being listed on customer invoices issued by the retailers. Calls are also directed to the Jemena Service Centre (emergency response) from the ActewAGL call centre.	

Network operation standards (Schedule 1: Clause 2)

Were there any instances of non-compliance with the licensee's network operation standards in 2016–17?	No
If yes, please provide details.	N/A

Environmental requirements (Schedule 1: Clause 3)

Are the licensee's environmental management policies and practices in line with AG750 Environmental Code of Practice and the Australian Pipeline Industry Code of Practice for Pipeline Construction?	Yes	The AG750 code was revised some years ago and became the APIA Code of Environmental Practice. In March 2015, APIA became the Australian Pipelines and Gas Association (APGA). Jemena's environmental management system and environmental management plan are in line with the APGA code. The APGA Pipeline Construction Code is used as guidance in planning, construction and maintaining pipelines.
If not, describe how they differ and why.	N/A	

Registration with the Australian Energy Market Operator (Schedule 1: Clause 6)

Was the licensee registered with the Australian Energy Market Operator for all of 2016–17?	Yes
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1 A copy of the Commission's technical and prudential criteria (Guideline) is available at <http://www.icrc.act.gov.au/utilities-licensing/licence-applications-surrenders-variations-and-revocations/>


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3.2 Utility licence conditions

Additional annual reporting requirements 2016–17 - Market (Clause 4.1 (1))

Reporting requirement	Response	Comments
Volume of gas (TJ)		
Aggregate quantity of gas billed	7,681	<i>ACT only data (reported as combined with Queanbeyan during previous years)</i>
Aggregate quantity of gas entering the distribution network	7,882	
Total revenue for gas billed	\$57.425M	
Customers and connection points		
How many customers were connected to the licensee's network as at 30 June 2017?	130,277	
Total numbers of tariff customers (i.e. < 10 TJ per annum)	130,236	
Total numbers of non-tariff customers (i.e. ≥ 10 TJ per annum)	41	
How many Delivery Point Identifiers (DPIs) did the licensee have as at 30 June 2017?	130,277	
What were the total number of customer transfers processed by customer class?	1,562	


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3.3 Utility licence conditions

Additional annual reporting requirements 2016–17 - Operation and maintenance (Clause 4.1 (2))

Reporting requirement	Response	Comments
Number of unplanned outages	1	
Number of significant gas leaks detected by survey by pressure classes:		
• Medium pressure	5	See Attachment A
• High pressure	0	
Number of gas regulators replaced by customer class:		
• Domestic customers	1,421	
• Industrial/commercial customers	10	
Number of meter replacements by customer class:		
• Domestic customers	312	
• Industrial/commercial customers	11	
Number of times distribution network pressure fell below normal operating system minimum pressure by pressure classes:		
• Medium pressure	0	
• High pressure	0	


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3.4 Utility licence conditions

Additional annual reporting requirements 2016–17 - Environment (Clause 4.1 (3))

Reporting requirement	Response	Comments
What was the amount of gas lost from the licensee's distribution network in the 2016–17 year (unaccounted for gas)? (TJ)	143.5	
Please provide details of the licensee's plan to minimise gas losses in the forthcoming year (i.e. 2016–17)	A five year leakage survey is undertaken across all gas distribution assets. The five year leakage survey is a rolling program with the whole program being completed over the five year period. Specific reviews are also underway for major receipt station metering and large customer metering accuracy. Please note that metering inaccuracy is not a loss to the atmosphere. It is a measurement of the gas that has flowed through the meter which has no impact on the environment.	
Please provide an assessment of the effectiveness of the plan to minimise gas losses in 2016–17.	The plan covers all possible contributors to unaccounted for gas (UAG). Please note that any measurement, including gas measurement, has an inherent uncertainty. Measurements within this uncertainty cannot be qualified as gas losses/gains.	



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3.5 Utility licence conditions

Additional annual reporting requirements 2015–16 - Technical (Clause 4.1 (4))

Reporting requirement	Response	Comments
Total pipeline length by pressure classes at 30 June 2017 (km)		
<ul style="list-style-type: none"> • Medium pressure 	3852	
<ul style="list-style-type: none"> • High pressure 	269	Note: 46 (>1050kPa for Trunk & Primary) 222 (1050kPa for Secondary mains)
Please provide an update of general technical description (in total) as provided in the licence application to the Commission.	See Attachment B	


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3.6 Utility licence conditions

Additional annual reporting requirements 2016–17- Incidents (Clause 4.1 (5))

Reporting requirement	Response	Comments
Number of gas leaks (from mains, service and meters) reported by the public to the licensee in 2016–17:		
• Medium pressure	1,663	
• High pressure	0	
Number of mechanical damage incidents to mains and services in 2016–17:		
• Medium pressure	203	
• High pressure	0	
Number of times gas specification reached the maximum or minimum limits in 2016–17.	0	

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4.1 Authorising and contact officers

Authorising officer

Note: The authorising officer may use an electronic signature.

The licensee's officer authorising the release of this information for gas distribution services is:

Name Will Yeap

Signature *Attached as scanned file*

Title/position in organisation Manager, Gas Networks

Contact officer

The licensee's primary contact officer for regulatory and compliance issues for gas distribution services is:

Name Robert Walker

Title/position in organisation Senior Regulatory Officer

Postal address GPO Box 366, Canberra, ACT, 2900

Telephone 02 6248 3847

Email Robert.Walker@actewagl.com.au