

NSW Electricity Infrastructure Fund

Contribution Determination Guideline

July 2023

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Invitation to make submissions

We invite interested parties to make written submissions in response to this draft revised guideline or the draft revised template by close of business 4 August 2023.

Please contact us if you would like to meet with AER staff during this consultation period.

Submissions should be sent electronically to REZ@aer.gov.au with the title 'Submission – Revised contribution determination guideline- NSW REZ.' We ask that all submissions sent in an electronic format are in Microsoft Word or another text-readable document form.

Alternatively, submissions may be sent to:

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Enquiries about this paper, or about lodging submissions, should be directed to REZ@aer.gov.au.

Confidentiality

The AER prefers that all submissions be publicly available to facilitate informed and transparent consultation. Submissions will be treated as public documents unless otherwise requested.

Parties wishing to submit confidential information are requested to:

- clearly identify the information that is the subject of the confidentiality claim, and
- provide a non-confidential version of the submission in a form suitable for publication.

All non-confidential submissions will be placed on the AER's website. For further information regarding the AER's use and disclosure of information provided to it, please see the ACCC/AER Information Policy available on our website.

Next steps

We will consider submissions received and feedback from the public forum before we publish a final Guideline in August 2023.

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1 Introduction

1.1 Who are we?

Our role is to ensure energy consumers are better off, now and in the future. We are the economic regulator for electricity and gas networks in every state and territory in Australia, except Western Australia. We regulate electricity networks under the National Electricity Law and National Electricity Rules.

We are also a regulator under the EII Act.¹ One of our conferred functions as regulator is to make annual contribution determinations under section 56 of the EII Act. This function is the subject of this guideline.

Other functions undertaken by us under the EII Act, which are not covered by this guideline, include:

- undertaking a Transmission Efficiency Test and making revenue determinations for network infrastructure projects authorised by the consumer trustee, or authorised (or directed) by the Minister (Part 5 of the EII Act).
- approving a risk management framework developed by the consumer trustee (Part 6 of the EII Act); and
- being consulted on tender rules in relation to long-term energy service agreements (Part 6 of the EII Act).

1.2 The NSW Roadmap

The [NSW Electricity Infrastructure Roadmap](#) (Roadmap) sets out the NSW Government's plan for the transition of the electricity market in NSW. It centres on coordinating private investment in new network, generation, long-duration storage, and firming infrastructure as ageing coal-fired generators retire.

The Roadmap is implemented under NSW's *Electricity Infrastructure Investment Act* (the EII Act).

The Roadmap involves various costs, including payments to network operators,² the costs associated with tenders for infrastructure underwriting contracts (known as long-term energy service agreements), and the administrative costs of scheme entities.³ The contribution determination facilitates the recovery of these costs to support the continued operation of the Roadmap.

¹ <https://www.aer.gov.au/communication/aer-appointed-as-regulator-of-the-nsw-renewable-energy-zones>

² Both in relation to a REZ Network Infrastructure Project or Priority Transmission Infrastructure Project as defined under the EII Act or Regulations.

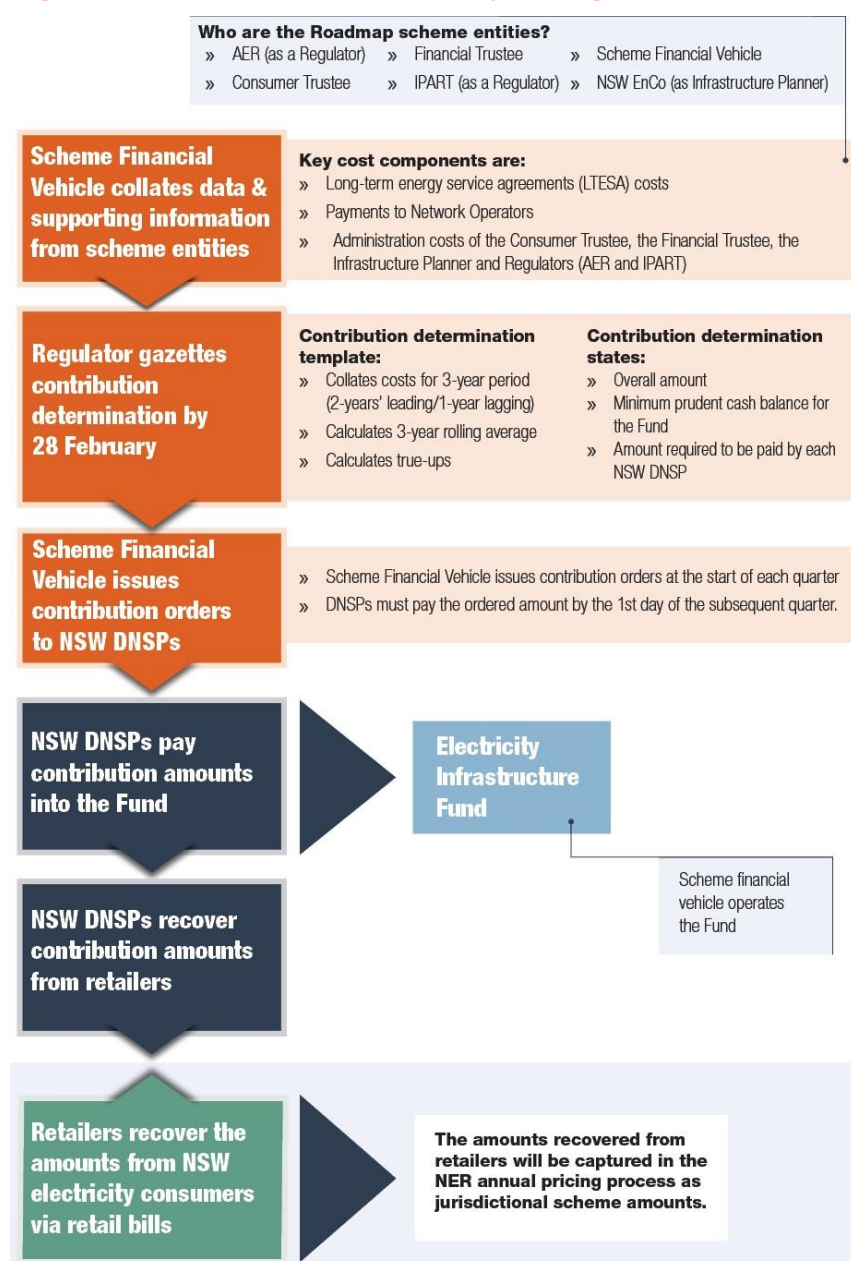
³ The scheme entities that recover costs under the contribution determination are the AER as a Regulator, the Consumer Trustee (AEMO Services), the Financial Trustee, the Infrastructure Planner and the NSW Independent Pricing and Regulatory Tribunal IPART as a Regulator.

1.3 The NSW Electricity Infrastructure Fund

Part 7 of the EII Act sets out a framework for costs associated with the Roadmap to be managed through an Electricity Infrastructure Fund (Fund) established by a scheme financial vehicle.

The scheme financial vehicle recovers costs paid from the Fund through payments from the NSW distribution network service providers (DNSPs).⁴ The NSW DNSPs will then pass the costs through to retailers which will, in turn, recover the amounts from NSW electricity consumers through their retail bills,⁵ as illustrated in Figure 1.

Figure 1: Overview of cost recovery arrangements



⁴ EII Act, s. 58(1). The NSW DNSPs are Ausgrid, Endeavour Energy and Essential Energy.

⁵ OECC, [Electricity Infrastructure Fund \(Part 7 of the EII Act 2020\), Policy Paper](#), September 2021, p. 4.

1.4 Contribution determinations

The AER is required to make an annual contribution determination that sets out the amount required for the scheme financial vehicle to be able to make payments from the Fund that are required under the EII Act, including the amount required for the scheme financial vehicle to meet its liabilities as they fall due.⁶ The Scheme Financial Vehicle's liabilities are based on its obligations under section 55 of the EII Act and any contractual arrangements it enters into, not the contribution determinations. The contribution determinations are therefore separate to and have no bearing on entities' rights to claim monies from the Fund, nor the Scheme Financial Vehicle's liabilities.

Our determinations must include:⁷

- a minimum prudent cash balance for the Fund; and
- the amount required to be paid by each NSW DNSP.

In making a contribution determination, we must consult with the financial trustee and consider the matters prescribed by the *Electricity Infrastructure Investment Regulation 2021* (Regulations). The EII Act requires us to gazette our contribution determination by 28 February each year.⁸ To enable us to make the contribution determination, we can request information from the scheme financial vehicle that we consider necessary to complete this function.⁹ In addition, the Regulations¹⁰ provide us with the power to request information from the consumer trustee, the financial trustee and the infrastructure planner.

In making a contribution determination, the Regulations require us to consider the following matters:¹¹

1. The need to limit variability in contribution determinations from year to year. (That is, stability and minimal cost volatility).¹²
2. The equitable allocation of the contribution determination between DNSP's based on each DNSP's:
 - a) Volumetric energy delivered in the previous financial year; and
 - b) Peak demand in the previous financial year.¹³
3. The need for the scheme financial vehicle to be able to meet its liabilities as they fall due.¹⁴

⁶ EII Act, s. 56(1)

⁷ EII Act, s. 56(3)

⁸ EII Act, s. 56(5)

⁹ EII Act, s. 56(7)

¹⁰ EII Regulations, s. 39, 'Provision of information to regulator'

¹¹ EII Regulations, s. 35 'Contribution determination—matters to be taken into account'

¹² See section 5.2 of this guideline on 3-year rolling average.

¹³ See section 5.5 of this guideline on apportionment.

¹⁴ See section 6.1 of this guideline on minimum prudent cash balance

4. Information provided to us by the consumer trustee, the financial trustee, the infrastructure planner or the NSW Independent Pricing and Regulatory Tribunal (IPART).¹⁵

1.5 Quarterly contribution orders

After we gazette our contribution determination, each financial year the scheme financial vehicle may issue to each NSW DNSP four contribution orders.¹⁶ Each contribution order contains the amount each NSW DNSP is to pay to the scheme financial vehicle so it may recover Roadmap costs.

The contribution period and schedule of payments, shown in Table 1 are set out in the EII Regulations¹⁷. Should the scheme financial vehicle issue contribution orders, payments from NSW DNSPs continue on the same quarterly cycle.

Table 1: Schedule of DNSP contributions into the Fund

Contribution period	Quarterly payment schedule ¹⁸
1 July – 30 September	1 November
1 October – 31 December	1 February
1 January – 31 March	1 May
1 April – 30 June	1 August

1.6 Purpose of this guideline

To give effect to our regulatory functions under the EII Act and Regulations, this guideline sets out our process and method for how we make a contribution determination, along with the roles and responsibilities of each scheme entity. Our method is implemented through the contribution determination template (template).¹⁹

This guideline also details:

- instructions to assist owners of source data complete the template.
- instructions for provision of supporting material, auditing, quality assurance and an approach to confidentiality.
- how the contribution determination template and supporting information is compiled by the scheme financial vehicle and submitted to us to check for compliance with the EII Act and Regulations and this guideline.

Bringing the above material together will enable us to confirm the costs of the Roadmap. Specifically, this includes:

¹⁵ See section 2.3 of this guideline on supporting information

¹⁶ EII Act, s. 58(1).

¹⁷ EII Regulations, s. 38

¹⁸ Where any of these falls on a weekend or public holiday, the applicable day is the next business day.

¹⁹ The template can be found on the AER's website [here](#).

- Payments to network operators, in relation to REZ network infrastructure projects or priority transmission infrastructure projects under Part 5 of the EII Act.
- The costs associated with underwriting of generation, storage or firming infrastructure investments by the consumer trustee through the electricity infrastructure investment safeguard provisions under Part 6 of the EII Act (that is, long-term energy service agreements).
- The administrative costs of the scheme entities that perform functions under the EII Act:²⁰
 - Regulators (AER, EPA and IPART)²¹
 - Consumer trustee (AEMO Services)²²
 - Financial trustee (Equity Trustees)²³
 - Infrastructure planner (Energy Corporation of NSW)²⁴

1.7 Interaction with the National Electricity Rules

Under the National Electricity Rules (NER), DNSPs charge electricity retailers distribution tariffs to enable them to recover the revenue needed to build, operate and maintain the networks used to transport electricity.

The NER require DNSPs to apply to the AER to assess their revenue requirements, which typically occurs every five years.

Chapter 6 of the NER sets out the framework we apply to assess the prudence and efficiency of the proposed revenue requirements and make a revenue determination.

During the 5-year regulatory period covered by our revenue determination, we also undertake an annual pricing process to check the DNSPs are implementing the revenue determination correctly, to apply the pass-through of transmission and jurisdictional scheme costs, and to update the allowed revenue and prices to reflect changes in key assumptions underpinning the determination (for example, inflation and the cost of debt).

DNSP costs to be recovered through a revenue determination include costs related to the operation of jurisdictional schemes. Upon application, we must determine whether a jurisdictional scheme satisfies eligibility criteria to be included in a revenue determination. These eligibility criteria include where State or Territory legislation mandatorily requires DNSPs to pay a specified amount into a fund or credit charges against a person.²⁵ Once a

²⁰ EII Act, s. 55

²¹ EII Act, s. 64

²² EII Act, s. 60

²³ EII Act, s. 61. The scheme financial vehicle's administration costs are paid for by the financial trustee.

²⁴ The infrastructure planner recovers its administrative costs in relation to access scheme administration/operation and the costs of implementing/managing programs delivering community and employment benefits for each REZ, both on the basis of access scheme declarations made by the Minister under s. 24 of the EII Act, which create liabilities within the meaning of s.55(a) of the EII Act. The infrastructure planner may also recover other administration costs on the basis of Ministerial approval under s. 66(4) of the EII Act.

²⁵ NER, cl. 6.18.7A(x)

scheme is determined, at each annual pricing review we must review the amounts to be passed through to network tariffs relating to jurisdictional schemes.

Following applications by the OECC, we determined two schemes under the EII Act to be jurisdictional schemes:²⁶

- First, in December 2021, we determined the scheme under section 58(1) of the EII Act to be a jurisdictional scheme.²⁷
- Second, in August 2022, we determined to be a jurisdictional scheme the scheme under section 58(6) of the EII Act and the clause of the Regulations entitled ‘Recovery of amounts payable under contribution orders.’²⁸

The determination of these jurisdictional schemes allows for contribution determination amounts under the EII Act to be passed through to electricity retailers (and subsequently NSW electricity customers) via DNSP charges.

In applying our guideline, we (and the scheme entities) undertake a rigorous data collation, assurance and compliance process. However, when we conduct the annual pricing process under the NER, we will not reinterrogate the jurisdictional amounts arrived at in our contribution determination beyond NER requirements and our usual treatment of jurisdictional amounts.²⁹

1.8 Authority for this guideline

The EII Act gives us a general power to issue guidelines in relation to the exercise of our functions.³⁰ The EII Act also requires us to publish guidelines about how we will exercise our functions to vary contribution determinations.³¹

We consider it appropriate to issue a general guideline about our annual contribution determination process and method. Section 9 of the guideline covers how we would exercise our functions to vary a contribution determination.

We may update this guideline and the template from time to time. If appropriate, we will consult with the relevant entities.

Notably, there are three inputs to the contribution method included in our guideline and template that we developed based on policy positions of the OECC, the scheme financial vehicle and consumer trustee respectively.

²⁶ NER, cl. 6.18.7A(x). We do not have discretion to reject a jurisdictional scheme application if the jurisdictional scheme eligibility criteria are satisfied.

²⁷ <https://www.aer.gov.au/networks-pipelines/guidelines-schemes-models-reviews/nsw-electricity-infrastructure-investment-act-jurisdictional-scheme-application>

²⁸ <https://www.aer.gov.au/networks-pipelines/guidelines-schemes-models-reviews/nsw-electricity-infrastructure-investment-act-2nd-jurisdictional-scheme-application>

²⁹ NER, cl. 6.18.7A

³⁰ EII Act, s. 64(4). This subsection covers issuing guidelines in relation to the exercise of functions by the persons and bodies appointed under the EII Act.

³¹ EII Act, s. 57(2)

- First, the OECC released a policy paper on its process regarding exemptions for emissions intensive trade exposed entities and producers of green hydrogen.³² The second jurisdictional scheme created under the clause of the Regulations entitled ‘Recovery of amounts payable under contribution orders’, which we mention in section 1.6 above, provides for these exemptions to be administered.
- Second, the scheme financial vehicle must input a minimum prudent cash balance to the template.³³
- Third, the scheme financial vehicle must input revenues and costs associated with long-term energy service agreements to the template.³⁴

Both the consumer trustee and scheme financial vehicle must comply with the risk management framework established under section 51(1) of the EII Act to protect the financial interests of NSW electricity consumers with respect to long-term energy service agreements.³⁵ We approved the risk management framework prepared by the consumer trustee on 8 July 2022.³⁶

This guideline sets out our instructions for all scheme entities, including the consumer trustee and scheme financial vehicle respectively in terms of data, supporting information and assurances we require to make a contribution determination.

1.9 The contribution determination template

We developed the template to:

- provide efficiencies in scheme entities’ preparation and quality control of information
- facilitate compliance with the EII Act and Regulations and this guideline.
- streamline the AER’s assessment of input data.

The structure of the templates should not be altered without prior discussion with the AER. This will ensure that any errors that arise are appropriately considered and any corrections implemented across all relevant scheme entities, and that consistency and the function of the template are maintained.

³² OECC, *Electricity Infrastructure Road, Electricity Infrastructure Fund (Part 7 of the Electricity Infrastructure Investment Act 2020), Exemption Administration Process*.

³³ The scheme financial vehicle inputs an adjustment factor that allows it to maintain a minimum prudent cash balance, based on a range of assumptions about forecast long-term energy service agreement and network costs.

³⁴ EII Act, s. 56(7)

³⁵ As stated on page 3 of the risk management framework in the section entitled ‘Entities Covered by this Risk Management Framework’: <https://www.aer.gov.au/system/files/AEMO%20Services%20Ltd%20-%20Risk%20Management%20Framework%20-%20July%202022.pdf>

³⁶ <https://www.aer.gov.au/networks-pipelines/nsw-renewable-energy-zones>

2 The contribution determination process

This chapter sets out the contribution determination processes that apply to all scheme entities in preparing, and us as the regulator, in making an annual contribution determination.

2.1 Process for contribution determinations

Table 2 sets out the process for contribution determinations including specific details for the data to provide for the 3-year rolling average.

Table 2: Overview of process for contribution determinations

Date	Milestone
By 31 Aug each year	AER issues request to scheme financial vehicle³⁷
	<p>AER will write to the scheme financial vehicle requesting information necessary to make a contribution determination and provide the template and this guideline.</p> <p>From this point, the scheme financial vehicle is responsible for contacting scheme entities and compiling all relevant data and supporting material and conducting quality assurance.</p>
By 15 Oct each year	Scheme entities that own input data submit data to the scheme financial vehicle*
	<p><i>* Scheme entities must conduct their own quality control prior to submission to scheme financial vehicle.</i></p> <p><i>* Scheme entities must have multiple names on the contact list including senior management and alert the scheme financial vehicle to any changes in staff contacts.</i></p> <p><i>*All data should be stated in nominal terms for the year in which it occurs i.e., adjusted to account for the time value of money.</i></p> <p>Scheme financial vehicle</p> <p>Provides 2-years leading³⁸, 1-year lagging data, as follows:</p> <ul style="list-style-type: none"> • LTESA costs estimate for the current financial year (e.g., as at mid-October 2023, this would cover FY 23–24). • Placeholder forecast LTESA costs for the subsequent two financial years (e.g., as at mid-October 2023, this would cover FY 24–25 and FY 25–26). <p>Provides actuals data, as follows:</p> <ul style="list-style-type: none"> • Actual LTESA costs for the previous financial year (e.g., as at mid-October 2023, this would cover FY 22–23). <p>Payments to network operators</p> <p>The infrastructure planner provides 2-years leading³⁸, 1-year lagging data, as follows:</p> <ul style="list-style-type: none"> • REZ Network Infrastructure Projects and Priority Transmission Infrastructure Projects costs estimate for the current financial year (e.g., as at mid-October 2023, this would cover FY 23–24) • Forecast REZ network infrastructure costs for REZ Network Infrastructure Projects and Priority Transmission Infrastructure Projects for the subsequent two financial years (e.g., as at mid-October, this would cover FY 24–25 and FY 25–26). <p>Provides actuals data, as follows:</p> <ul style="list-style-type: none"> • Actual costs data in relation to REZ Network Infrastructure Projects and Priority Transmission Infrastructure Projects costs for the previous financial year (e.g., as at mid-October 2023, this would cover FY 22–23).

³⁷ Issued pursuant to the AER's information power under s. 56(7) of the EII Act and Regulations.

³⁸ Scheme entities may wish to provide forecasts for outer years in addition to the 2 leading years, but this is not required.

Date	Milestone
	<p>Administration costs</p> <p>Scheme entities provide 2-years leading³⁸, 1-year lagging data, as follows:</p> <ul style="list-style-type: none"> Administration costs estimate for the current financial year (e.g., as at September 2023, this would cover FY 23–24). Forecast administration costs for the subsequent two financial years (e.g., as at September 2023, this would cover FY 24–25 and FY 25–26). <p>Provides actuals data, as follows:</p> <ul style="list-style-type: none"> Actual costs data in relation to administration costs for the previous financial year (e.g., as at mid-October 2023, this would cover FY 22–23). <p>The scheme entities that will recover administration costs are the consumer trustee, financial trustee, infrastructure planner and regulators (AER, EPA and IPART).</p>
By 30 Nov each year	Scheme financial vehicle completes compilation of template and supporting material
	<p>The scheme financial vehicle must conduct a review of all data and supporting information supplied by scheme entities to check it for accuracy.</p> <p>Scheme financial vehicle inputs financial parameters into the template, including its cash flow modelling and relevant loan amount³⁹. The scheme financial vehicle also collates all supporting information.</p>
By 20 Jan each year	Scheme financial vehicle submits to AER the completed template with final data
	<p>At this stage, the below two sets of data will remain outstanding.</p> <p>LTESA forecast</p> <p>The scheme financial vehicle inputs into the template the final forecast data for the subsequent two years i.e., the finalised 2-years leading data. This final forecast data updates the placeholder forecast data input in October.</p> <p>Energy data</p> <p>NSW DNSPs provide the scheme financial vehicle with volumetric energy delivered, peak demand and exemptions data, after being confidentially informed of the National Meter Identifiers eligible for exemption by the OECC⁴⁰. The volumetric energy delivered and peak demand data should match the data NSW DNSPs submit to the AER through the Regulatory Information Notice (RINs) process – this data is discussed further at section 4.6 below.</p> <p>The relevant reporting year for the purposes of this energy data will be the previous financial year i.e., as at January 2024, the relevant year will be FY 22–23.</p> <p>Once these two sets of outstanding data are inputted, the scheme financial vehicle submits the completed template to the AER.</p> <p>The scheme financial vehicle must submit to the AER both a confidential version and a version with confidential data redacted that is able to be published.</p>
1 Dec – 31 Jan each year	AER conducts compliance checks
	AER checks data and supporting information and obtains any corrections or updates required through the scheme financial vehicle.
By 28 Feb	AER gazettes contribution determination
	AER publishes the gazetted contribution determination.

³⁹ The Scheme Financial Vehicle obtained a grant from the NSW Government to support the Fund's liquidity in the early years of the scheme, to be paid back over 8 years

⁴⁰ Reflecting the process for exemptions data developed by the OECC and outlined in its policy paper: OECC, *Electricity Infrastructure Road, Electricity Infrastructure Fund (Part 7 of the Electricity Infrastructure Investment Act 2020), Exemption Administration Process*.

2.2 Initiating contribution determination process

To initiate the contribution determination process each year we will write to the scheme financial vehicle, requesting it to:⁴¹

- complete the template, including consulting with scheme entities to input relevant data consistent with the EII Act, Regulations and this guideline.
- obtain all relevant supporting material from scheme entities to support data inputs as detailed in this guideline.
- compile all data and supporting material and conduct quality assurance.
- submit the completed template and package of supporting material under cover letter outlining the quality assurance processes undertaken.
- submit both a confidential version of the completed template and a non-confidential redacted version that can be published.

2.3 Supporting information requirements

Table 3 sets out the supporting information requirements from each scheme entity with respect to specific data inputs.

If the requirements of Table 3 are not met, the data may not be able to be accepted by us as regulator. If the audit requirement in relation to actuals data is not met, our confidence in forecast data will be reduced and may result in a more stringent review.

Table 3: Supporting information requirement

Scheme entity	Data input	Supporting information
All scheme entities	General	<ul style="list-style-type: none"> • A basis of preparation document – the requirements in relation to this document are set out in section 2.3.1.
All scheme entities	All 'actuals' data points i.e., data in relation to the t-2 year.	<ul style="list-style-type: none"> • All 'actuals' costs data must be independently audited – the requirements in relation to independent audits are set out in section 2.3.2. • A copy of the audit opinion report must be provided as supporting information – see section 2.3.2. <p>Please note: the independent audit requirement only relates to actuals financial data, and this requirement may be satisfied by a general account audit provided that the data for the Roadmap is clearly identified in the audited accounts.</p>

⁴¹ Pursuant to the AER's information powers under s. 56(7) EII Act and the EII Regulation 2022.

Scheme entity	Data input	Supporting information
Scheme financial vehicle	The minimum prudent cash balance for the Fund under s. 56(3)(a)	<ul style="list-style-type: none"> A summary of the methodology to calculate a minimum prudent cash balance for the Fund, including relevant assumptions. A statement by the Chair of the scheme financial vehicle's Board that: <ul style="list-style-type: none"> the methodology complies with relevant subsidiary policies and the risk management framework under section 51 of the EII Act. scheme financial vehicle staff have reviewed data supplied by scheme entities against supporting information for accuracy and found no errors.
	Costs in relation to long-term energy service agreements (LTESAs) under Part 6 of the EII Act	<ul style="list-style-type: none"> A summary of the methodology used to calculate LTESA costs, including the relevant assumptions.⁴² A statement by the Chair of the scheme financial vehicle that: <ul style="list-style-type: none"> the methodology has been approved by the scheme financial vehicle's Board. the methodology complies with the relevant subsidiary policies and risk management framework under section 51 of the EII Act.
Infrastructure planner	Payments to network operators under Part 5 of the EII Act	<ul style="list-style-type: none"> Depending on the source of the network costs actual or forecast data in line with section 2.3.3 below, either: <ul style="list-style-type: none"> where the infrastructure planner has generated network costs forecasts, i.e., the forecast data for the two leading years, a summary of the methodology used to calculate network costs forecasts, including relevant assumptions. a cross-reference to any relevant revenue proposal or adjustment submitted to the AER. a cross-reference to any relevant AER revenue determination. A statement from the infrastructure planner's Chief Executive Officer that it has approved the infrastructure planner's data inputs and, if applicable, its forecast methodology.
	Administration costs	<ul style="list-style-type: none"> As the infrastructure planner is not covered under section 55(b), EII Act, its supporting requirements regarding administrative costs differ from those for other scheme entities. It must provide: <ul style="list-style-type: none"> A cross-reference to the relevant ministerial access scheme declaration that creates a liability to be paid from the Fund under section 55(a)) of the EII Act. Recovery of any other costs will be subject to the infrastructure planner providing evidence to substantiate a legal basis for the cost recovery e.g., a ministerial approval under section 66(4)) of the EII Act. A statement from the infrastructure planner's Chief Executive Officer that: <ul style="list-style-type: none"> it has approved the infrastructure planner's costs data. there are no alternative avenues to recover the costs or potential for double counting. the cost recovery complies with any relevant governmental guidelines e.g., with Australian Government Cost Recovery Guidelines (RMG 304).⁴³ Copies of the relevant invoices.

⁴² Probabilistic assumptions about the distribution of long-term energy service agreement costs, AEMO scenario for wholesale prices, etc. A dashboard summary will be provided to ensure transparency of modelling assumptions.

⁴³ These Guidelines apply to Commonwealth entities only.

Scheme entity	Data input	Supporting information
AER, Consumer Trustee, Financial Trustee, IPART, EPA	Administration costs of scheme entities	<ul style="list-style-type: none"> A statement by each entity's Chief Executive that: <ul style="list-style-type: none"> they have approved the administration costs input to the template. the cost recovery complies with any relevant governmental guidelines e.g., with Australian Government Cost Recovery Guidelines (RMG 304).⁴³ Copies of the entity's invoices for administrative costs submitted to the scheme financial vehicle.
NSW DNSPs	Energy data ⁴⁴	<ul style="list-style-type: none"> In relation to the volumetric data on energy delivered, peak demand and exemptions (the data described in sections 4.6 and 4.7 below), a statement from the DNSP's relevant executive that the exempt volumetric and exempt peak demand data is correct.

2.3.1 Basis of preparation document

The basis of preparation document required in Table 3 must:

1. demonstrate how the information provided is consistent with the requirements of this guideline.
2. explain the source of the information.
3. explain the methodology applied, including any assumptions made and the reasonableness of those assumptions.
4. explain, in relation to forecast data, the basis for the forecast estimate, including the approach used, assumptions made and reasons why the estimate is the data owner's best estimate.
5. indicate the basis of any administration costs, including a breakdown of costs into the following categories:
 - a) Staff costs (ongoing)
 - b) Staff costs (non-ongoing)
 - c) Consultancies (ongoing)
 - d) Consultancies (non-ongoing)
6. explain the data owner's quality assurance processes.

2.3.2 Independent audit requirement in relation to actuals data

As set out in Table 3, all actuals financial data (i.e., historical data in relation to the *t*-2 year) must be independently audited.

Where the amounts involved are such that the costs of an audit would disproportionately outweigh the benefits, the entity concerned may request in writing that we forego the audit requirement. AER staff will then inform the entity whether it may forego the audit.

⁴⁴ Note that the independent audit requirement in relation to actuals data described in section 2.3.2. does not apply to this energy data, as it is not financial data (i.e., it is not data measured in dollars).

Please note: the independent audit requirement only relates to actuals financial data, and this requirement may be satisfied by a general account audit, provided that the data for the Roadmap is clearly identified in the audited accounts.

The audit must be conducted in compliance with Australian Auditing and Assurance Standards.

The audit must produce an audit opinion report as to whether the actuals data provided is presented accurately in accordance with the requirements of our information request and the relevant basis of preparation document.

The audit must be carried out by a person who:

1. is a registered company auditor who is a member of the Institute of Chartered Accountants Australia or of CPA Australia that holds a Certificate of Public Practice.
2. is independent from the data owner and all its related bodies corporate – that is, not a principal, member, shareholder, officer, or employee of the data owner or its related entities.
3. has experience in conducting financial, performance, operation or quality assurance audits and conducting data sampling in the electricity industry.
4. possesses relevant knowledge and experience in the electricity industry, engineering, IT systems, asset management and customer service as relevant to the audit or review.
5. understands regulatory accounting methods.
6. understands the definitions, procedures and methodologies specified in the EII Act and Regulations and this guideline that have been used in the preparation of the data the subject of the audit or review; and
7. is available to discuss issues relating to the audits with us, including where an audit opinion report or review conclusion statement is critical of, or highlights deficiencies in, the audited financial information and/or supporting information.

2.3.3 Sources of cost data in relation to payments to network operators

The data in relation to payments to network operators requires additional specification as to the source of each data point.

The source of data the infrastructure planner uses to submit this data should follow Table 4 below.

Note in particular that, where no revenue proposal or AER determination is available to cover the $t+1$ year, the infrastructure planner is responsible for preparing forecast data. This forecast data must be substantiated by the supporting information outlined in Table 3 above.

Table 4: The source to be used for data on payments to network operators

Year	Actuals data	Adjusted determination revenue (from AER)	Year	Actuals data	Adjusted determination revenue (from AER)
$t-2$	Yes				
$t-1$		If available, otherwise >>	Yes		
t			If available, otherwise >>	If available, otherwise >>	Yes
$t+1$			If available, otherwise >>	If available, otherwise >>	Yes

2.4 Quality assurance processes

We expect that each scheme entity will support the scheme financial vehicle by checking the accuracy of its data inputs and supporting material before providing it to the scheme financial vehicle. The scheme financial vehicle will conduct quality control of the completed template against the package of supporting material and relevant assurances.

In essence, this places the onus on each scheme entity to be responsible for the veracity, auditability and transparency of its inputs and supporting material. We consider that this approach, consistent with our approach to annual pricing under the NER,⁴⁵ increases the likelihood of the contribution determination amount that the scheme financial vehicle submits is capable of being approved.

Once we receive the contribution determination template and supporting information from the scheme financial vehicle, we will review the material for accuracy and compliance with the EII Act, Regulations and this guideline.

We consider this quality assurance process will limit errors and hence, the need for us to request the scheme financial vehicle to resubmit the template or additional supporting material. For each version of the template resubmitted, we must perform a compliance check. Further engagement processes are time consuming and puts at risk our ability to make our contribution determination within the legislative timeframe set under the EII Act.

2.5 Additional process matters

2.5.1 Handling of errors

Any errors, deviations of actuals from estimates, or changes to forecasts that occur after a contribution determination has been gazetted will be dealt with under the subsequent contribution determination through the relevant true-up mechanism.

2.5.2 Consultation with the financial trustee

In making the contribution determination each year, we will conduct appropriate consultations. This includes consulting with the financial trustee as required under s. 56(6) of the EII Act. Specifically, we will consult with the financial trustee before gazetting our contribution determination and provide feedback on the process to create a culture of continuous improvement.

⁴⁵ AER, [Annual pricing review process. Final position paper - first stage](#), December 2021.

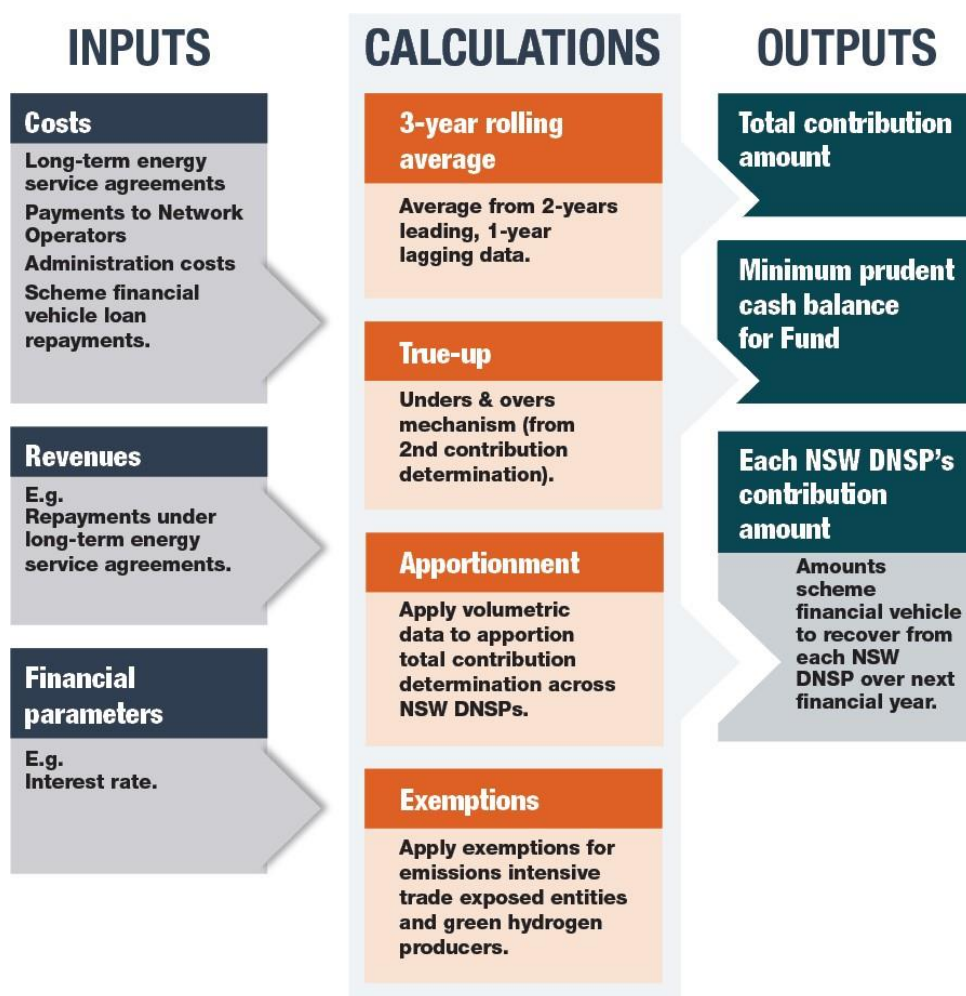
3 Overview of contribution determination method

This chapter sets out the contribution determination method that applies to all scheme entities in preparing information for, and us as the regulator in making, an annual contribution determination.

It consists of screen shots of each template worksheet and an explanation of the purpose and method behind each worksheet.

In the first instance each scheme entity is responsible for assuring the quality of its data and supporting material, before the scheme financial vehicle conducts a further quality assurance process.

Figure 2: Overview of contribution determination method



Source: AER

The contribution determination method is carried out in two stages:

- The first stage calculates the total contribution determination amount for the Fund.
- The second stage apportions the contribution amount for the Fund across the NSW DNSPs.

Stage 1

The calculation of the contribution determination for the Fund first combines the inputs of revenues and costs to calculate annual net expenses for the scheme financial vehicle.

Specifically, to set the contribution determination amount for the upcoming year t , the process during the current year $t-1$ relies on the following data from each scheme entity:

- the estimate of the current (year $t-1$) net expenditures
- the forecast net expenditure for the upcoming year t (the year for which the contribution determination is made), and
- the forecast net expenditure for the forecast year $t+1$.

Using the three-year rolling average of net expenditures above, we make the following adjustments:

- an adjustment for the annual change in the allowance for minimum prudent cash balance, based on future liquidity requirements of the fund⁴⁶
- an adjustment to account for calling on and repaying other sources of funding, including both government grants and other loans
- an adjustment to set the closing balance to zero for the year for which the determination is made (closing balance of year t). This is the true-up mechanism to reflect any revisions to the costs/revenues data used to underpin previous contribution determinations.

Stage 2

After calculating the total contribution determination, we apportion the total between the NSW DNSPs. The apportionment method assigns expenditure to either a “volumetric energy” or “peak demand” category.⁴⁷ The long-term energy service agreement costs for generation are assigned to the “volumetric energy” category, while all other elements of net costs are assigned to “peak demand.”

The costs are then allocated between the NSW DNSPs based on their proportion of the combined total of “volumetric energy” and “peak demand” across all NSW DNSPs, after applying exemptions for emissions intensive trade exposed entities and green hydrogen producers.

This apportionment method allows us to calculate an annual contribution amount for each NSW DNSP, which will be listed in our gazettal notice.⁴⁸

The Regulations also require us to provide each DNSP with the percentage of their individual contribution determination amounts relating to LTES agreements for generation infrastructure (i.e. that can be attributed to the volumetric energy category). This data point will allow NSW

⁴⁶ EII Act, s. 56(1)

⁴⁷ Regulations, the clause entitled ‘Contribution determination—matters to be taken into account’ includes definitions of peak demand and volumetric energy delivery.

⁴⁸ EII Act, s. 56(3)(b)

DNSPs to undertake the calculations necessary to implement exemptions for emissions intensive trade exposed entities and producers of green hydrogen.

Stakeholders should refer to the OECC's policy paper⁴⁹ for details on the objectives and operation of its exemption framework. The OECC's exemption framework largely sits outside of the contribution determination process apart from the apportionment process outlined above.

⁴⁹ OECC, *Electricity Infrastructure Road, Electricity Infrastructure Fund (Part 7 of the Electricity Infrastructure Investment Act 2020), Exemption Administration Process*, May 2022.

4 Inputs

The inputs required by the template are explained in this chapter, this includes general inputs, financial data (rates, costs, revenues), and energy data (total and for exemptions).

Each scheme entity must provide its input data to the scheme financial vehicle, using the input templates provided to each scheme entity. The scheme financial vehicle, following Table 2 above, must collate this data into the template and check it against the supporting information provided, as outlined in Table 3.

4.1 General

The general worksheet is where the current contribution determination year is input, and the relevant year for apportionment purposes is calculated.

Figure 3: Extract of general inputs table

Table 1 General inputs			
Inputs	Source	Value	Notes
Target year (t)	SFV	2024–25	Fixed at t-2
Energy data year to underpin apportionment for target year	Calculated	2022–23	
Unit for inputs and revenues	AER	\$millions	
Unit for output tables (from revenues)	AER	\$millions	
Unit for consumption totals and outputs	AER	GWh	

The reporting year for the purposes of the volumetric energy, peak demand and exemptions data needed to support the apportionment and implementation of exemptions is the *t-2* year.

4.2 Revenues

The revenues table (Table 2 on the 'Financial' worksheet) captures the revenue of the scheme financial vehicle through various income streams.

Figure 4: Extract of revenues table

Table 2 Revenues	Source	Unit	Confidentiality claimed re actuals data (2022–23)	Confidentiality claimed re forecast data (2023–24 and beyond)	2021–22	2022–23
Contribution determinations						
Contribution determination actual revenue	SFV	\$millions	No	No		
Revenue (excluding contribution determinations)						
LTESA - Generation	SFV	\$millions	No	No		
LTESA - LDS & Firing	SFV	\$millions	No	No		
Risk management contracts	SFV	\$millions	No	No		
Access fees	SFV	\$millions	No	No		
Revenues from investment activities	SFV	\$millions	No	No		
Other revenue	SFV	\$millions	No	No		
Total	Calculation	\$millions	No	No	0.00	0.00

The main potential sources of revenue for the scheme financial vehicle are contribution determinations, long-term energy service agreements and access scheme fees.

Long-term energy service agreement revenues include repayments that LTES operators make to the Fund as provided under the terms of long-term energy service agreements.

4.3 Expenditure

The expenditure table (Table 3 on the 'Financial' worksheet) captures scheme entities' administrative expenses, the costs of long-term energy service agreements and risk

management contracts, payments to network operators, access scheme costs and the scheme financial vehicle's financial costs.

Figure 5: Extract of expenditure table

Table 3 Expenditure	Source	Unit	Confidentiality claimed re actuals data (2022-23)		Confidentiality claimed re forecast data (2023-24 and beyond)	2021-22	2022-23
LTESA expenditure							
LTESA - Generation	SFV	\$millions	No	No	No		
LTESA - LDS & Firing	SFV	\$millions	No	No	No		
Risk management contracts	SFV	\$millions	No	No	No		
Total	Calculation	\$millions	No	No	No	0.00	0.00
Payments to network operators							
Payments to network operators	NSW EnCo	\$millions	No	No	No		
Total	Calculation	\$millions	No	No	No	0.00	0.00
Administration expenditure							
AER administration costs	AER	\$millions	No	No	No		
Consumer Trustee administration costs	Consumer Trustee	\$millions	No	No	No		
Financial Trustee administration costs	Financial Trustee	\$millions	No	No	No		
SFV administration costs	SFV	\$millions	No	No	No		
IPART administration costs	IPART	\$millions	No	No	No		
EPA administration costs	EPA	\$millions	No	No	No		
EnCo administration costs	SFV/NSW EnCo	\$millions	No	No	No		
Total	Calculation	\$millions	No	No	No	0.00	0.00
Other costs							
Access scheme costs (excluding administration costs and community payments)	SFV	\$millions	No	No	No		
Community payments	SFV	\$millions	No	No	No		
Interest and finance cost of loans (including additional loans and liquidity facilities)	SFV	\$millions	No	No	No		
Other costs	SFV	\$millions	No	No	No		
Total	Calculation	\$millions	No	No	No	0.00	0.00
Total	Calculation	\$millions	No	No	No	0.00	0.00

Long-term energy service agreements are option contracts to enter a derivative arrangement that provides successful energy projects with access to minimum cash flows for their energy service. The costs associated with these contracts include forecast derivative payments to long-term energy service operators. These forecasts involve modelling wholesale energy prices to specified confidence intervals by the consumer trustee and in accordance with its Treasury Policy (a subsidiary policy to the Risk Management Framework). The formal responsibility for inputting data about long-term energy services agreements into the template sits with the scheme financial vehicle.

Risk management contract costs are incurred from contracts entered into to manage the cumulative market, liquidity and counterparty risks of the long-term energy service agreements. These may include energy derivatives and insurance products.

Payments to network operators are costs associated with REZ Network Infrastructure Projects or Priority Transmission Infrastructure Projects, as defined under the EII Act.

Administration expenditure is the costs incurred by the consumer trustee, financial trustee and regulators in exercising their functions under the EII Act.⁵⁰ The infrastructure planner may also recover administration costs through alternative pathways, such as on the basis of access scheme declarations or approval under section 66(4) of the EII Act.

The scheme financial vehicle's financial costs may include debt servicing costs or other financing costs. These are captured as interest and financial cost of loans.

⁵⁰ EII Act, s. 55(b)

4.4 Financial parameters and cash amounts

The financial parameters for the contribution determination include interest rate, and the treatment of the repayable grant. These are input by the scheme financial vehicle on the Financial worksheet.

Figure 6: Extract of financial parameters tables

Table 1 Interest rate	Source	Unit	Confidentiality claimed re actuals data (2022-23)	Confidentiality claimed re forecast data (2023-24 and beyond)	2021-22	2022-23
Interest rate	SFV	Per cent	No	No		

Table 4 Repayable grant and other loans	Source	Unit	Confidentiality claimed re actuals data (2022-23)	Confidentiality claimed re forecast data (2023-24 and beyond)	2021-22	2022-23
Establishment of NSW grant	SFV	\$millions	No	No		
Repayment of grant	SFV	\$millions	No	No		
Need to use grant money (to cover negative liquidity or grant repayments)	Calculation	\$millions	No	No	0.00	0.00
Use of grant to cover under-recovery (and subsequent recovery of funds)	Calculation	\$millions	No	No	0.00	0.00
Use of an additional loan (and subsequent recovery of funds)	SFV	\$millions	No	No		
Total	Calculation	\$millions	No	No	0.00	0.00

The contribution determination interest rate is the rate applied to any under or over-recoveries to account for the time value of money.

4.5 Minimum prudent cash balance

The scheme financial vehicle is also required to input an amount equal to the annual change in the allowance for minimum prudent cash balance, which will be used as an adjustment in the contribution determination calculation. The allowance for minimum prudent cash balance is based on the future liquidity requirements of the fund.

Figure 7: Extract of minimum prudent cash balance table

Table 5 Minimum prudent balance	Source	Unit	Confidentiality claimed re actuals data (2022-23)	Confidentiality claimed re forecast data (2023-24 and beyond)	2021-22	2022-23
Adjustment to reach updated minimum prudent balance	SFV	\$millions	No	No		
Minimum prudent balance	Calculation	\$millions	No	No	0.00	0.00

4.6 Energy Data

The energy data to be entered in the 'Energy' worksheet are volumetric energy and peak demand data supplied by the NSW DNSPs. This is the same data as the NSW DNSPs provide to us through the Regulatory Information Notice (RINs) process.

The RIN item 'Total energy delivered DOPED01' is used for volumetric energy and 'DOPSD0201 Non-coincident Summated Raw System Annual Maximum Demand' for peak demand. We require this data to apportion the contribution determination across the three NSW DNSPs and apply exemptions.

Figure 8: Extracts of energy data tables

Table 1 Volumetric energy delivered by DNSP - DOPED01	Source	Unit	2021-22	2022-23
Ausgrid	DNSPs	GWh		
Endeavour Energy	DNSPs	GWh		
Essential Energy	DNSPs	GWh		
Total	Calculation	GWh	0	0

Table 2 Peak demand by DNSP - DOPSD0201	Source	Unit	2021-22	2022-23
Ausgrid	DNSPs	MVA		
Endeavour Energy	DNSPs	MVA		
Essential Energy	DNSPs	MVA		
Total	Calculation	MVA	0	0

4.7 Exemptions

The 'Exemptions' worksheet allows for the input of volumetric energy and peak demand data to support the implementation of exemptions for emissions intensive trade exposed entities and green hydrogen producers.

The exemptions data is sourced from NSW DNSPs, who submit this data after being informed of the eligible national meter identifiers by the OECC.

The exemptions are as defined in the Regulations s.37.

Figure 9: Extracts of exemptions data tables

Table 2 Volume of energy delivered to emissions intensive trade exposed entities		Source	Unit	2021–22	2022–23
DNSP					
Ausgrid		SFV	GWh		
Endeavour Energy		SFV	GWh		
Essential Energy		SFV	GWh		

Table 4 Volume of energy delivered to green hydrogen producers		Source	Unit	2021–22	2022–23
DNSP					
	Reference year				
Ausgrid	2022	SFV	GWh		
Ausgrid	2023	SFV	GWh		
Ausgrid	2024	SFV	GWh		
Ausgrid	2025	SFV	GWh		
Ausgrid	2026	SFV	GWh		
Ausgrid	2027	SFV	GWh		
Ausgrid	2028	SFV	GWh		
Ausgrid	2029	SFV	GWh		
Ausgrid	2030	SFV	GWh		
Endeavour Energy	2022	SFV	GWh		
Endeavour Energy	2023	SFV	GWh		
Endeavour Energy	2024	SFV	GWh		
Endeavour Energy	2025	SFV	GWh		
Endeavour Energy	2026	SFV	GWh		
Endeavour Energy	2027	SFV	GWh		
Endeavour Energy	2028	SFV	GWh		
Endeavour Energy	2029	SFV	GWh		
Endeavour Energy	2030	SFV	GWh		
Essential Energy	2022	SFV	GWh		
Essential Energy	2023	SFV	GWh		
Essential Energy	2024	SFV	GWh		
Essential Energy	2025	SFV	GWh		
Essential Energy	2026	SFV	GWh		
Essential Energy	2027	SFV	GWh		
Essential Energy	2028	SFV	GWh		
Essential Energy	2029	SFV	GWh		
Essential Energy	2030	SFV	GWh		

Table 5 Amount of peak demand for green hydrogen producers		Source	Unit	2021–22	2022–23
DNSP					
	Reference year				
Ausgrid	2022	SFV	MVA		
Ausgrid	2023	SFV	MVA		
Ausgrid	2024	SFV	MVA		
Ausgrid	2025	SFV	MVA		
Ausgrid	2026	SFV	MVA		
Ausgrid	2027	SFV	MVA		
Ausgrid	2028	SFV	MVA		
Ausgrid	2029	SFV	MVA		
Ausgrid	2030	SFV	MVA		
Endeavour Energy	2022	SFV	MVA		
Endeavour Energy	2023	SFV	MVA		
Endeavour Energy	2024	SFV	MVA		
Endeavour Energy	2025	SFV	MVA		
Endeavour Energy	2026	SFV	MVA		
Endeavour Energy	2027	SFV	MVA		
Endeavour Energy	2028	SFV	MVA		
Endeavour Energy	2029	SFV	MVA		
Endeavour Energy	2030	SFV	MVA		
Essential Energy	2022	SFV	MVA		
Essential Energy	2023	SFV	MVA		
Essential Energy	2024	SFV	MVA		
Essential Energy	2025	SFV	MVA		
Essential Energy	2026	SFV	MVA		
Essential Energy	2027	SFV	MVA		
Essential Energy	2028	SFV	MVA		
Essential Energy	2029	SFV	MVA		
Essential Energy	2030	SFV	MVA		

5 Calculations

The calculations worksheets provide the calculations that underlie the outputs. These include calculations of 3-year rolling averages of net costs, the contribution determination amounts, the true-up adjustment, the exempted energy data, and the apportionment of the contribution determination amount to the NSW DNSPs.

5.1 Summarise revenues and costs

The overall costs and revenues are calculated in the worksheet *Net Costs*, where the revenues and net expenditure are calculated and summarised.

Figure 10: Extract of revenues and expenditure summary table

Table 1 Summary of revenues and expenditure		Unit	2021–22	2022–23	2023–24
Revenue (excluding contribution determinations)					
LTESA - Generation	\$millions				
LTESA - LDS & Firing	\$millions				
Risk management contracts	\$millions				
Access fees	\$millions				
Revenues from investment activities	\$millions				
Other revenue	\$millions				
Total	\$millions				
Expenditure (and loan repayments)					
LTESA - Generation	\$millions				
LTESA - LDS & Firing	\$millions				
Risk management contracts	\$millions				
Payments to network operators	\$millions				
AER administration costs	\$millions				
Consumer Trustee administration costs	\$millions				
Financial Trustee administration costs	\$millions				
SFV administration costs	\$millions				
IPART administration costs	\$millions				
EPA administration costs	\$millions				
EnCo administration costs	\$millions				
Access scheme costs (excluding administration costs and community payments)	\$millions				
Community payments	\$millions				
Interest and finance cost of loans (including additional loans and liquidity facilities)	\$millions				
Other costs	\$millions				
Total	\$millions				

5.2 3-year rolling average

The 3-year rolling average of net costs is calculated from the annual net costs, being the difference between the costs and revenues for each period. The rolling average for a current contribution determination applies the 2-years leading and 1-year lagging principle, and calculates the average of the $t-1$, t and $t+1$ years. The 3-year rolling average reflects an OECC policy position.⁵¹

The benefits of applying a 3-year rolling average include smoothing bill volatility for NSW electricity consumers arising from volatility in wholesale market costs, providing the scheme financial vehicle liquidity by “frontloading” liquidity from later periods, and matching costs to benefits.

Figure 11: Extract of calculation of 3-year rolling average of net costs

Table 2 Calculation of 3-year rolling average of net costs		Unit	2021–22	2022–23
Total revenue (excluding contribution determinations)	\$millions			
Total expenditure (and loan repayments)	\$millions			
Net costs	\$millions			
3-year rolling average of net costs	\$millions			

⁵¹ OECC, *Electricity Infrastructure Roadmap, Electricity Infrastructure Fund (Part 7 of the Electricity Infrastructure Investment Act 2020)*, p. 19.

5.3 True-up adjustment

The true-up adjustment is made to set the closing balance of the unders-and-overs account to zero for the target year (t). This mechanism ensures that the difference between estimated and actual costs, as well as differences due to revisions to forecasts, are recovered in the contribution determination. It allows the scheme financial vehicle to fully recover its costs.

The adjustment is calculated based on under and over recoveries in all previous years (for which a determination has been made). If the total net costs were below what was provided for in a contribution determination, the over-recovered revenue would be returned to NSW electricity consumers (through the NSW DNSPs) via this unders and overs mechanism in the next determination year.

The calculations for the true-up and contribution determination are in the Adjustments worksheet.

Figure 12: Extract of true-up mechanism table

Table 1 True up	Unit	2021–22	2022–23
Contribution determination actual revenue	\$millions		
Contribution determination amount (recalculated)	\$millions		
Net under/over-recovery	\$millions		
Interest rate applicable to balance	Per cent		
Opening balance	\$millions		
Interest on opening balance	\$millions		
Net under/over-recovery of revenue excluding true up adjustment (to avoid double counting)	\$millions		
Interest on under/over-recovery	\$millions		
Interest on under/over-recovery where grant was used	\$millions		
Closing balance	\$millions		

Table 2 Contribution determination calculation	Unit	2021–22	2022–23
3-year rolling average of net costs	\$millions		
True up adjustment	\$millions		
Minimum prudent balance adjustment	\$millions		
Adjustment for grants and loans	\$millions		
Contribution determination amount	\$millions		

First, the net under/over recovery of revenue is calculated for the previous ($t-2$) and current ($t-1$) years, which is the difference between the recalculated recovery amount (the 3-year rolling average of net costs plus adjustments) and actual revenue from NSW DNSP contributions (or determination amounts when actuals are not available).

These under/over recoveries are used in the unders-and-overs account (less any true-up adjustment in the same year) and are subject to a half-year interest adjustment in the year they occur before inclusion in the closing balance. This is because we assume that the under/over recovery is spread over the year, and on average occurs half a year from closing.

The closing balance is carried forward to the subsequent year as the opening balance. The opening balance attracts a whole year of interest before inclusion in the closing balance.

The true-up adjustment is the amount added to the current contribution determination to bring the closing balance of the unders-and-overs account for the determination to zero. This adjustment is equal to the opening balance plus half a year of interest on the adjustment amount because the payments occur in four equal payments over the year.

5.4 Amount for volumetric apportionment

To calculate the split between the “volumetric energy” component and the “peak demand” component, the long-term energy service agreement costs for generation are assigned to the

“volumetric energy” category, while all other elements of net costs are assigned to “peak demand.”

The percentage split is smoothed by 3-year rolling average to avoid undue volatility in the apportionment of costs.

The total contribution determination amount is split between volumetric energy and peak demand components using this smoothed percentage split.

Figure 13: Extract of contribution determination components table

Table 3.1 Split between LTESA (Generation) and other cost categories		Unit	2021–22	2022–23
Net costs in current year		\$millions		
Amount of net costs attributable to LTESAs (Generation)		\$millions		
Amount of net costs attributable to all other cost categories		\$millions		
Three year rolling average of proportion attributable to LTESAs (Generation)		Per cent		
Three year rolling average of proportion attributable to all other cost categories		Per cent		
Contribution determination amount		\$millions		
Amount of contribution determination attributable to LTESAs (Generation)		\$millions		
Amount of contribution determination attributable to all other cost categories		\$millions		

5.5 Apportionment to DNSPs

The volumetric energy component of the contribution determination amount is allocated between the NSW DNSPs using each DNSP’s share of annual volumetric energy delivered. Annual volumetric energy delivered uses RIN data after exemptions⁵² for emissions intensive trade exposed entities and green hydrogen producers.

Similarly, this allocation process is applied to the “peak demand” component using each NSW DNSP’s share of annual peak demand after exemptions.

Figure 14: Extract of volumetric energy by DNSP table

Table 1.1 Overall volumetric energy delivered		Unit	2021–22	2022–23
Ausgrid		GWh		
Endeavour Energy		GWh		
Essential Energy		GWh		
Total		GWh		

The volumetric energy component (amount) is then apportioned to the DNSPs using their share in total volumetric energy, net of applicable exemptions. Similarly, the peak demand component (amount) is apportioned to the DNSPs using their share in total peak demand, net of applicable exemptions.

The amount payable by each DNSP in the contribution determination is the sum of these two apportioned amounts for volumetric energy and peak demand.

5.6 Apply exemptions

The application of exemptions to the apportionment across the NSW DNSPs involves calculating apportionment rates after exemptions.

We calculate exempt volumetric energy and peak demand amounts for each DNSP using exemption rates for the different types of exemptions (and reference years for green

⁵² EII Regulation, s. 37

hydrogen producers). These exempt amounts are netted off the energy data from the DNSPs, to arrive at energy data after exemptions.

The energy data after exemptions are used to calculate apportionment rates, which are the shares in volumetric energy or peak demand for each DNSP.

Figure 15: Extract of volumetric energy apportionment tables

Table 1.2 Exempt volumetric energy for emissions intensive trade exposed entities		Unit	2021–22	2022–23	2023–24	2024–25
Exemption rate						
Per cent of volumetric energy exempted		Per cent	Value			
			90%			
Volumetric energy delivered to exempt entities (actuals data)						
Ausgrid		GWh				
Endeavour Energy		GWh				
Essential Energy		GWh				
Total		GWh				
Amount of volumetric energy exempted (brought forward to current year)						
Ausgrid		GWh				
Endeavour Energy		GWh				
Essential Energy		GWh				
Total		GWh				

Table 1.3 Exempt volumetric energy for green hydrogen producers		Unit	2021–22	2022–23	2023–24	2024–25
Exemption rate by reference year						
2028 or earlier	Percent of volumetric energy exempted	Per cent	Value			
2029	Percent of volumetric energy exempted	Per cent	90%			
2030	Percent of volumetric energy exempted	Per cent	60%			
2031 onwards	Percent of volumetric energy exempted	Per cent	30%			
		Per cent	0%			
Volumetric energy delivered to exempt entities by reference year						
Ausgrid	2028 or earlier	GWh				
Ausgrid	2029	GWh				
Ausgrid	2030	GWh				
Ausgrid	2031 onwards	GWh				
Endeavour Energy	2028 or earlier	GWh				
Endeavour Energy	2029	GWh				
Endeavour Energy	2030	GWh				
Endeavour Energy	2031 onwards	GWh				
Essential Energy	2028 or earlier	GWh				
Essential Energy	2029	GWh				
Essential Energy	2030	GWh				
Essential Energy	2031 onwards	GWh				
Total		GWh				
Volumetric energy delivered to exempt entities						
Ausgrid		GWh				
Endeavour Energy		GWh				
Essential Energy		GWh				
Total		GWh				
Amount of volumetric energy exempted						
Ausgrid		GWh				
Endeavour Energy		GWh				
Essential Energy		GWh				
Total		GWh				

Table 1.4 Proportion of exempted volumetric energy attributable to each DNSP		Unit	2021–22	2022–23	2023–24	2024–25
Amount of volumetric energy delivered (brought forward to current year)						
Ausgrid		GWh				
Endeavour Energy		GWh				
Essential Energy		GWh				
Total		GWh				
Amount of volumetric energy exempted (all exemptions)						
Ausgrid		GWh				
Endeavour Energy		GWh				
Essential Energy		GWh				
Total		GWh				
Amount of volumetric energy delivered after exemptions						
Ausgrid		GWh				
Endeavour Energy		GWh				
Essential Energy		GWh				
Total		GWh				
Proportion of total volumetric energy attributable to each DNSP						
Ausgrid		Per cent				
Endeavour Energy		Per cent				
Essential Energy		Per cent				
Total		Per cent				
Proportion of volumetric energy attributable to each DNSP after exemptions						
Ausgrid		Per cent				
Endeavour Energy		Per cent				
Essential Energy		Per cent				
Total		Per cent				

The total volumetric energy after exemptions is calculated. The proportion of the total volumetric energy consumption for each NSW DNSP is applied to the volumetric energy component cost to determine the volumetric energy component cost for each NSW DNSP.

The same process is applied to the “peak demand” component using the “peak demand” exemption rate.

After the percentages are calculated, the component costs for each NSW DNSP are calculated. The combined component costs are the contribution determination for each NSW DNSP.

Figure 16: Extract of cost apportionment between DNSPs tables

Table 3.2 Apportionment of amounts		Unit	2021–22	2022–23
Apportioned amount for LTESAs (generation)				
Ausgrid		\$millions		
Endeavour Energy		\$millions		
Essential Energy		\$millions		
Total		\$millions		
Apportioned amount for all other cost categories				
Ausgrid		\$millions		
Endeavour Energy		\$millions		
Essential Energy		\$millions		
Total		\$millions		
Apportioned contribution determination amounts				
Ausgrid		\$millions		
Endeavour Energy		\$millions		
Essential Energy		\$millions		
Total		\$millions		

6 Outputs

The outputs worksheets (*Validation*, *Tables* and *Historical outputs*) provide:

- The headline numbers for the contribution determination, being the total contribution determination and the contributions to be recovered by each NSW DNSP for the relevant contribution determination period (calculated as set out in chapter 5).
- The minimum prudent cash balance for the Fund.
- The percentage of the contribution determination relating to LTES agreements for generation infrastructure for each DNSP (after exemptions).
- The energy data (total and exempted) for each DNSP.
- The headline numbers from all years when a contribution determination was made.

6.1 Minimum prudent cash balance allowance

The minimum prudent cash balance allowance provides⁵³ the scheme financial vehicle with the necessary liquidity to remain solvent. The item *minimum prudent cash balance* on the *Financials* worksheet allows for this adjustment.

The *Tables* worksheet gives the total allowance. Only the adjustment (the difference from the minimum prudent cash balance in the preceding year) is included in the contribution determination amount in the year of the determination.

Figure 17: Extract of contribution determination output tables

Table 1 Contribution determination for target year (t)		Unit	2024–25
Ausgrid		\$millions	
Endeavour Energy		\$millions	
Essential Energy		\$millions	
Contribution determination amount		\$millions	
Minimum prudent balance allowance		\$millions	

6.2 Negative contribution determination

If the total contribution amount is a negative number, we will issue the negative contribution amount as the contribution determination (following processes set out in this guideline).

If there is a negative contribution determination, the scheme financial vehicle will consider whether it is appropriate to carry the balance into the next contribution determination, based on relevant subsidiary policies under the risk management framework, or return the amount to NSW consumers passed through as negative jurisdictional scheme tariffs by DNSPs.⁵⁴ The consumer trustee is incorporating policies to cover this scenario into its Treasury Policy and Liquidity Policy, which are subsidiary policies to the section 51 risk management framework approved by the AER.

⁵³ EII Act, s. 53(3)

⁵⁴ For example, the treasury and liquidity policies that are subsidiary policies to the risk management framework under section 51(1), EII Act.

7 Contribution determination gazettal notice

Our gazetted contribution determination each February will be brief, setting out:

1. How we have made our contribution determination, which will be demonstrated in the completed template (redacted for valid confidentiality claims) and in line with this guideline⁵⁵
2. A total contribution determination amount for the upcoming financial year⁵⁶
3. The minimum prudent cash balance for the fund⁵⁷
4. The amount required to be paid by each NSW DNSP (being total (2) apportioned across Ausgrid, Endeavour Energy and Essential Energy)⁵⁸

Upon gazettal, we will publish our contribution determination and the completed template (subject to confidentiality claims), on our website.

We intend to publish a version of the completed template with all underlying ‘actuals’ data (i.e., data in relation to the $t-2$ year) as submitted by the scheme financial vehicle, to increase the transparency for stakeholders as to the Roadmap’s costs.

We expect that initially, there may be a significant volume of data redacted from the template we publish. This is because of ongoing tenders for contestable network infrastructure and long-term energy service agreements respectively. Over time, we expect that less data will be subject to confidentiality claims and will therefore be able to be published, particularly as actuals data filters through.

It is the responsibility of each scheme entity to submit a public and confidential version of its template and supporting information. Using the AER’s confidentiality template⁵⁹, scheme entities must provide a reason to the AER for each confidentiality claim.

⁵⁵ EII Act, s.56(4)

⁵⁶ EII Act, s.56(1)

⁵⁷ EII Act, s. 56(3)(a)

⁵⁸ EII Act, s. 56(3)(b)

⁵⁹ See AER’s [Confidentiality Guideline](#) but will be replicated in the NSW REZ confidentiality guideline to be published in 2023.

8 Notice of percentage of the contribution determination relating to LTES agreements for generation infrastructure

The Regulations require us to provide each NSW DNSP with a notice setting out the percentage of the contribution determination that relates to LTESAs⁶⁰ for generation infrastructure within their distribution area, within 1 week after our contribution determination is published in the gazette.⁶¹

This information is confidential as its disclosure may compromise competitive tender processes in relation to network infrastructure projects and long-term energy service agreements respectively.

The Regulations permit us to include in our guidelines matters relating to the limitations on the flow of information from or within the network operator if there is the potential for a competitive advantage or disadvantage to arise.⁶² As such, we require, that the NSW DNSPs implement a ‘ring- fencing’ arrangement for the purposes of managing the Data Point, as follows:

- each NSW DNSP shall create an ‘exemptions data administration unit’, comprising the officer-level and executive-level staff authorised to handle the data point.
- the Data Point must not be disclosed to any person outside the ‘exemptions data administration unit’.
- no staff within the ‘exemptions data administration unit’ may be the same staff as those working in connection with bids for network infrastructure projects.
- the Data Point must not be used in connection with bids for network infrastructure projects.

We consider the above will likely only impose an administrative overlay on the NSW DNSPs, such that specific staff would be designated as forming part of the unit for operational purposes. We do not envisage that the NSW DNSPs would need to change existing administrative structures.

We also note that disclosure of the Data Point outside the ‘exemptions data administration unit’, may constitute a breach of the information disclosure provisions in section 75, EII Act.

⁶⁰ Long-term energy service agreements under Part 6 of the EII Act.

⁶¹ Clause 36 of the Regulations

⁶² Clause 42(1)(a)(iii) of the Regulations

9 Variation of contribution determination

The EII Act permits us to vary a contribution determination if it appears to us that:

1. the scheme financial vehicle will not be able to meet its liabilities as they fall due, or
2. the cash balance of the Fund has fallen, or is likely to fall, below the minimum prudent cash balance specified in the determination.

The EII Act also requires us to publish on our website guidelines about the exercise of our functions (i.e. to vary a contribution determination).

While this chapter of the guideline sets out the process and circumstances for considering a variation, it is likely there would need to be extenuating circumstances for us to consider varying a contribution determination. This is because of the way the contribution determination feeds into our regulatory functions under the NER (see Figure 1). Specifically:

- We gazette our contribution determination in February each year
- Scheme financial vehicle issues contribution orders to NSW DNSPs
- NSW DNSPs pay into the Fund managed by the scheme financial vehicle
- NSW DNSPs submit annual pricing proposals to us in March each year. This includes the contribution determination amount, which is a cost passed directly through to NSW electricity consumers (via retail bills) as a jurisdictional scheme amount under the NER.

Should we vary a contribution determination outside of this broader regulatory pricing framework, we would be enabling the scheme financial vehicle to issue additional contribution orders to the NSW DNSPs. The NSW DNSPs would be obligated to make the required contributions to the Fund, but unable to pass those costs on to consumers until the next annual pricing process.

Consequently, the DNSPs would be funding the Roadmap's costs and liabilities for the intervening period. This would be contrary to the NSW Government's and the NER's intent. The OECC stated in its policy paper:

It is not intended that distribution businesses or retailers be the financing vehicle for the Fund, and they are not expected to be worse off due to their role in relation to the Fund. Rather, their role is to manage the application of cost pass-through to consumers either as a jurisdictional scheme in the case of distribution businesses or to consumers for retailers.

To vary a contribution determination would likely result in a greater increase to NSW electricity consumers than would otherwise have been the case at the next annual pricing review. This is because the contribution determination costs for the coming financial year would be passed on simultaneously with the costs of a variation.

Further, the scheme financial vehicle must act in a commercially reasonable and prudent way and is expected to comply with the risk management framework and subsidiary policies that include Treasury and Liquidity policies and other strict governance arrangements. It also has access to a liquidity facility. The scheme financial vehicle, operating under these and

other reporting and accounting mechanisms, should be able to manage the Fund in such a way that a variation is not necessary.

Against this background, we would adopt the following process in considering whether to vary a contribution determination:

1. The scheme financial vehicle is to write to us, detailing the following (and providing supporting material where relevant):
 - a) That the scheme financial vehicle will not be able to meet its liabilities as they fall due, including the specific liabilities and amounts, or
 - b) That the cash balance of the Fund has fallen below a sustainable level
2. The steps the scheme financial vehicle has taken to raise necessary funds and the outcomes of such steps.
3. Modelling to support the variation the scheme financial vehicle thinks is required.
4. In considering this material, we may:
 - a) Consult with the financial trustee, consumer trustee or DNSPs
 - b) Seek further information from the scheme financial vehicle and other scheme entities as required.
 - c) Seek independent advice
5. We will advise the scheme financial vehicle of our decision whether to vary a contribution determination as soon as practicable.

Glossary

Term	Definition
AER	Australian Energy Regulator
Contribution Determination	The annual contribution determination to be made by the AER as Regulator under section 56 of the EII Act.
Contribution Order	The contribution orders issued by the Scheme Financial Vehicle to Designated Network Service Providers under section 58 of the EII Act.
Consumer Trustee	A person or body authorised under section 60 of the EII Act to exercise the functions of the consumer trustee. The consumer trustee is required to act independently and in the long-term financial interests of NSW electricity consumers. AEMO Services Ltd has been appointed to undertake this role.
DNSP	A distribution network service provider which, for the purposes of the EII Act, has the same meaning as in the NER.
Financial Trustee	A person or body authorised under section 61 of the EII Act to exercise the functions of the Financial Trustee. Equity Trustees Limited has been appointed to undertake this role.
Fund	Electricity Infrastructure Fund
EII Act	Electricity Infrastructure Investment Act 2020 (NSW)
Infrastructure Planner	A person authorised to exercise the functions of an infrastructure planner under section 63 of the EII Act. The infrastructure planner performs a range of planning and contracting functions. The Energy Corporation of NSW has been appointed to undertake this role for the five REZs specified in the EII Act.
IPART	NSW Independent Pricing and Regulatory Tribunal
NEL	National Electricity Law
NER	National Electricity Rules
OECC	Office of Energy and Climate Change within NSW Treasury.
Network infrastructure project	A REZ Network Infrastructure Project or Priority Transmission Infrastructure Project as defined under the EII Act.
Regulations	Any regulations made under the EII Act.
Regulator	A person or body authorised under section 64 of the EII Act to exercise the functions of a regulator.
REZ	Renewable Energy Zone, being the geographical area of NSW and the infrastructure specified in a declaration by the Minister under section 19 of the EII Act.
Roadmap	NSW Electricity Infrastructure Roadmap
Scheme Financial Vehicle	A person or body authorised under section 62 of the EII Act to exercise the functions of the Scheme Financial Vehicle.
Scheme Entities	Consumer trustee, financial trustee, infrastructure planner, regulators and scheme financial vehicle

Term	Definition
Year notations	<p>As at the point in time of the February gazettal of the contribution determination each year (this is the t-1 year):</p> <ul style="list-style-type: none"> - <i>actuals year</i> refers to the preceding financial year (the t-2 year e.g., as at October 2022, this would cover FY 21–22). - <i>current year</i> refers to the current financial year (the t-1 year e.g., as at October 2022, this would cover FY 22–23). - <i>upcoming year</i> refers to the subsequent financial year (the t+1 year e.g., as at October 2022, this would cover FY 23–24), which is the year to which the contribution determination applies. - <i>forecast years</i> refers to the: <ul style="list-style-type: none"> o t+2 financial year (e.g., as at October 2022, this would cover FY 24–25), and o t+3 financial year (e.g., as at October 2022, this would cover FY 25–26).