

PRELIMINARY DECISION

Energex determination 2015−16 to 2019−20

Attachment 10 − Capital expenditure sharing scheme

April 2015

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1. Note
2. This attachment forms part of the AER's preliminary decision on Energex's 2015–20 distribution determination. It should be read with all other parts of the preliminary decision.
3. The preliminary decision includes the following documents:
4. Overview
5. Attachment 1 – Annual revenue requirement
6. Attachment 2 – Regulatory asset base
7. Attachment 3 – Rate of return
8. Attachment 4 – Value of imputation credits
9. Attachment 5 – Regulatory depreciation
10. Attachment 6 – Capital expenditure
11. Attachment 7 – Operating expenditure
12. Attachment 8 – Corporate income tax
13. Attachment 9 – Efficiency benefit sharing scheme
14. Attachment 10 – Capital expenditure sharing scheme
15. Attachment 11 – Service target performance incentive scheme
16. Attachment 12 – Demand management incentive scheme
17. Attachment 13 – Classification of services
18. Attachment 14 – Control mechanism
19. Attachment 15 – Pass through events
20. Attachment 16 – Alternative control services
21. Attachment 17 – Negotiated services framework and criteria
22. Attachment 18 – Connection policy
23. Contents

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1. Shortened forms

| Shortened form | Extended form |
| --- | --- |
| AEMC | Australian Energy Market Commission |
| AEMO | Australian Energy Market Operator |
| AER | Australian Energy Regulator |
| augex | augmentation expenditure |
| capex | capital expenditure |
| CCP | Consumer Challenge Panel |
| CESS | capital expenditure sharing scheme |
| CPI | consumer price index |
| DRP | debt risk premium |
| DMIA | demand management innovation allowance |
| DMIS | demand management incentive scheme |
| distributor | distribution network service provider |
| DUoS | distribution use of system |
| EBSS | efficiency benefit sharing scheme |
| ERP | equity risk premium |
| Expenditure Assessment Guideline | Expenditure Forecast Assessment Guideline for electricity distribution |
| F&A | framework and approach |
| MRP | market risk premium |
| NEL | national electricity law |
| NEM | national electricity market |
| NEO | national electricity objective |
| NER | national electricity rules |
| NSP | network service provider |
| opex | operating expenditure |
| PPI | partial performance indicators |
| PTRM | post-tax revenue model |
| RAB | regulatory asset base |
| RBA | Reserve Bank of Australia |
| repex | replacement expenditure |
| RFM | roll forward model |
| RIN | regulatory information notice |
| RPP | revenue and pricing principles |
| SAIDI | system average interruption duration index |
| SAIFI | system average interruption frequency index |
| SLCAPM | Sharpe-Lintner capital asset pricing model |
| STPIS | service target performance incentive scheme |
| WACC | weighted average cost of capital |

# Capital expenditure sharing scheme

1. The capital expenditure sharing scheme (CESS) provides financial rewards for network service providers whose capex becomes more efficient and financial penalties for those that become less efficient. Consumers benefit from improved efficiency through lower regulated prices. This attachment sets out how we will apply the CESS to Energex in the 2015–20 regulatory control period.
2. As part of the Better Regulation program we consulted on and published version 1 of the capital expenditure incentive guideline (capex incentive guideline), which sets out the CESS. The CESS approximates efficiency gains and efficiency losses by calculating the difference between forecast and actual capex. It shares these gains or losses between service providers and consumers.
3. The CESS works as follows:

* We calculate the cumulative underspend or overspend for the current regulatory control period in net present value terms.
* We apply the sharing ratio of 30 per cent to the cumulative underspend or overspend to work out what the service provider's share of the underspend or overspend should be.
* We calculate the CESS payments taking into account the financing benefit or cost to the service provider of the underspends or overspends. We can also make further adjustments to account for deferral of capex and ex post exclusions of capex from the RAB.
* The CESS payments will be added or subtracted to the service provider's regulated revenue as a separate building block in the next regulatory control period.

1. Under the CESS a service provider retains 30 per cent of an underspend or overspend, while consumers retain 70 per cent of the underspend or overspend. This means that for a one dollar saving in capex the service provider keeps 30 cents of the benefit while consumers keep 70 cents of the benefit.

## Preliminary decision

1. We will apply the CESS as set out in version 1 of the capital expenditure incentives guideline to Energex in the 2015–20 regulatory control period.[[1]](#footnote-1) This is consistent with the proposed approach we set out in our framework and approach paper.[[2]](#footnote-2)

## Energex’s proposal

1. Energex proposed that we apply the CESS as set out in the capex incentives guideline.[[3]](#footnote-3)

## AER’s assessment approach

1. In deciding whether to apply a CESS to a network service provider, and the nature and details of any CESS to apply to a service provider, we must:[[4]](#footnote-4)

* make that decision in a manner that contributes to the capex incentive objective[[5]](#footnote-5)
* take into account the CESS principles,[[6]](#footnote-6) the interaction of the CESS with any other incentives that the service provider may have to undertake efficient opex or capex, the capex objectives,[[7]](#footnote-7) and, if relevant, the opex objectives, as they apply to the particular service provider, as well as the circumstances of the service provider.

1. Broadly, the capex incentive objective is to ensure that only capex that meets the capex criteria enters the RAB used to set prices. Therefore, consumers only fund capex that is efficient and prudent.

### Interrelationships

1. The CESS relates to other incentives Energex faces to incur efficient opex, conduct demand management, and maintain or improve service levels.[[8]](#footnote-8) We aim to incentivise network service providers to make efficient decisions on when and what type of expenditure to incur, and to balance expenditure efficiencies with service quality. We discuss these interrelationships where relevant as part of our reasons below and in our capex attachment.

## Reasons for preliminary decision

1. We are satisfied with Energex's proposal to apply the CESS as set out in the capex incentives guideline.
2. For capex, the sharing of underspends and overspends happens at the end of each regulatory control period when we update a network service provider's RAB to include new capex. If a network service provider spends less than its approved forecast during a period, it will benefit within that period. Consumers benefit at the end of that period when the RAB is updated to include less capex compared to if the service provider had spent the full amount of the capex forecast.
3. Without a CESS the incentive for a service provider to spend less than its forecast capex declines throughout the period. This is because as the end of the regulatory control period approaches, the time available for the service provider to retain any savings gets shorter. So the earlier a service provider incurs a capex underspend in the regulatory period, the greater its reward will be. As a result, the incentive for a service provider to spend less than its capex forecast declines throughout the period. Because of this, a service provider may choose to spend capex earlier than necessary, spend on capex when it may otherwise have spent on opex, or spend less on capex at the expense of service quality—even if it may not be efficient to do so.
4. In developing the CESS we took into account the capex incentive objective, capex criteria, capex objectives, and the CESS principles. With the CESS, Energex will face the same reward and penalty in each year of a regulatory control period for capex underspends or overspends. The CESS will provide Energex with an ex ante incentive to spend only efficient capex. Energex will be rewarded through the CESS for making capex efficiency gains. Conversely, Energex will be penalised through the CESS for making capex efficiency losses. In this way, Energex will be more likely to incur only efficient capex when subject to a CESS, so any capex included in the RAB is more likely to reflect the capex criteria. In particular, if Energex is subject to the CESS, its capex is more likely to be efficient and to reflect the costs of a prudent service provider.
5. The Queensland Council of Social Services (QCOSS) noted the importance of forecasting a prudent and efficient amount of total capex. QCOSS considered the application of the CESS should not reward service providers for becoming more efficient from what may be an inefficient base.[[9]](#footnote-9) We addressed these issues in our explanatory statements to the capex incentive guideline.[[10]](#footnote-10) As outlined above, the sharing of capex underspends and overspends between consumers and the distributor happens at the end of each regulatory control period when we update the RAB to include new capex. In the absence of the CESS the sharing ratio between consumers and the distributor will vary depending on the year in which the underspend or overspend occurs. Instead, under the CESS there will be a constant sharing ratio of 30:70. The CESS will also provide a continuous incentive for Energex to incur efficient capex over the regulatory control period, rather than the declining incentive that is present without the CESS.

1. AER, Capital Expenditure Incentive Guideline for Electricity Network Service Providers, November 2013, pp. 5–9. [↑](#footnote-ref-1)
2. AER, Preliminary positions paper, Framework and approach for Energex and Ergon Energy, Regulatory control period commencing 1 July 2015, December 2013, p. 67. [↑](#footnote-ref-2)
3. Energex, Regulatory Proposal, July 2015 to June 2020, October 2014, p. 192. [↑](#footnote-ref-3)
4. NER, cl. 6.5.8A(e). [↑](#footnote-ref-4)
5. NER, cl. 6.4A(a); the capex criteria are set out in cl. 6.5.7(c) of the NER. [↑](#footnote-ref-5)
6. NER, cl. 6.5.8A(c). [↑](#footnote-ref-6)
7. NER, cl. 6.5.7(a). [↑](#footnote-ref-7)
8. Related schemes are the efficiency benefit sharing scheme (EBSS) for opex, the demand management innovation allowance (DMIA), and the service target performance incentive scheme (STPIS) for service levels. [↑](#footnote-ref-8)
9. Queensland Council of Social Services, Submission to the AER’s Queensland electricity distribution determination 2015-2020, January 2015, pp. 93–94. [↑](#footnote-ref-9)
10. AER, Explanatory Statement, Draft Capital Expenditure Incentive Guideline for Electricity Network Service Providers, August 2013; AER, Explanatory Statement, Capital Expenditure Incentive Guideline for Electricity Network Service Providers, November 2013. [↑](#footnote-ref-10)