



ActewAGL
Always.

ActewAGL House 221 London Circuit Canberra ACT 2600 ■ GPO Box 366 Canberra ACT 2601
Telephone 13 14 93 Facsimile 02 6249 7237 www.actewagl.com.au

15 August 2008

Mr Mike Buckley
General Manager
Network Regulation North Branch
Australian Energy Regulator
GPO Box 3131
Canberra ACT 2601

Mike
Dear Mr Buckley

ActewAGL Response to AER Discussion paper on Draft Annual compliance guideline

Thank you for the opportunity to comment on the AER Discussion paper and draft Annual compliance guideline, relating to *National Gas Law* and *Rules* obligations.

As the AER is aware, ActewAGL is currently subject to Independent Competition and Regulatory Commission (ICRC) annual compliance reporting requirements under the *Utilities Act 2000* (ACT), and the ActewAGL Distribution *Utility Services Licence*. These reporting obligations cover a range of issues, including ring-fencing obligations.

ActewAGL is concerned to ensure, as part of the transition to national regulatory oversight of gas networks, that it is not subject to overlapping or duplicative reporting and compliance obligations at the jurisdictional and national levels. ActewAGL considers that as a general principle, its regulatory compliance and activity reporting obligations should reflect the allocation of legislative responsibilities under the *National Gas Law* and *National Electricity Law*.


ActewAGL considers that duplicative reporting requirements would not be consistent with the *National Gas Law* Objective, or the Council of Australian Governments' objectives for reform set out in the *Australian Energy Market Agreement* to, amongst other things, *streamline and improve the quality of economic regulation across energy markets to lower the cost and complexity of regulation facing investors*. ActewAGL believes that liaison with state and territory regulators should form an integral part of the development of the proposed compliance reporting guideline, to assist with a smooth transition to the new national reporting obligations, and ensure there is no overlap or duplication in regulatory reporting obligations on network businesses.

Alinta GCA Pty Ltd has been renamed Jemena Networks (ACT) Pty Ltd.

The draft regulatory information notice attached to the annual compliance guideline sets the due date of 31 July each year for providing the previous financial year's required information and documentation. ActewAGL considers that this proposed reporting deadline would not provide sufficient time for the business to collate, verify and audit reported data. ActewAGL considers that a reporting deadline of 1 October each year, as currently provided for by the ICRC in its reporting requirements, would be more appropriate.

Should you require further information, please contact Ms Alexandra Curran, Senior Regulatory Adviser on (02) 6248 3190.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Graham', with a stylized, flowing script.

David Graham
Director Regulatory Affairs and Pricing