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**PART B**  
**- DRAFT AMENDED PRICE**  
**DETERMINATION -**

**2 OCTOBER 2012**

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Draft amended electricity standing contract price determination, amended in accordance with the terms of the draft price determination made by the Essential Services Commission on 2 October 2012. Draft amendments are marked in underlined text like this.



## **PART B –PRICE DETERMINATION**

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# 1 GENERAL

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## 1.1 Application of standing contract price determination

1.1.1 This Standing Contract Price Determination:

- (a) for the purposes of section 36AA of the Electricity Act 1996, fixes the *standing contract prices* which the *declared retailer* can charge *standing contract customers* for the sale of electricity during the *price path period*;
- (b) specifies the principles, procedures and formulae which apply during the *price path period* for altering, varying, opening or closing *standing contract prices*; and
- (c) provides for the pass through to *standing contract customers* of certain changes in the costs incurred by the *declared retailer*.

## 1.2 Authority

1.2.1 This Standing Contract Price Determination is made by the *Commission* under Part 3 of the Essential Services Commission Act 2002, as authorised by sections 36AA and 35A(1)(a) of the Electricity Act 1996.

## 1.3 Term

1.3.1 Subject to clause 1.3.2, this Standing Contract Price Determination takes effect on the *commencement date* and ceases to have effect on 30 June 2014.

1.3.2 Clause 1.7.1 of this Standing Contract Price Determination comes into effect on the day that this Standing Contract Price Determination is made by the *Commission* in accordance with the requirements of the Essential Services Commission Act 2002.

## 1.4 Revocation of previous price determinations

1.4.1 Pursuant to section 26(8) of the Essential Services Commission Act 2002, on and from the *commencement date* this Standing Contract Price Determination revokes all previous Standing Contract Price Determinations made by the *Commission* under sections 36AA and 35A(1)(a) of the Electricity Act 1996.

1.4.2 Nothing in this Standing Contract Price Determination affects, and is not intended to affect, anything done or omitted to be done, or rights or obligations accrued, under any previous Standing Contract Price



Determination made by the *Commission* under sections 36AA and 35A(1)(a) of the Electricity Act 1996.

## 1.5 Definitions and interpretation

- 1.5.1 Words and phrases in italics in this Standing Contract Price Determination are defined in clause 4.1 and the Price Path Schedule.
- 1.5.2 This Standing Contract Price Determination must be interpreted according to the principles in clause 4.2.

## 1.6 Prices exclude GST

- 1.6.1 In this Standing Contract Price Determination, unless otherwise specified, all *standing contract prices* and *standing contract price components* that are or may be charged are exclusive of *GST*.

## 1.7 Publication of standing contract prices

- 1.7.1 At least 10 *business days* prior to the *commencement date*, the *declared retailer* must publish:
- (a) in the *Gazette* and on its website (in a prominent and readily accessible position), the *price list* specified in the Initial Standing Contract Price Schedule; and
  - (b) a notice in a newspaper circulating generally in the State setting out:
    - (i) the existence of the *standing contract price* and of the *price list* referred to in clause 1.7.1(a);
    - (ii) a general description of the nature and applicability of the *standing contract prices* set out in the *price list*; and
    - (iii) advice as to how the *price list* may be accessed.
- 1.7.2 On and from the *commencement date*, the *declared retailer* must:
- (a) at all times maintain on its website (in a prominent and readily accessible position) an accurate and current *price list* setting out:
    - (i) all *standing contract prices* (*GST* exclusive and inclusive), and the criteria for assignment to each *standing contract price*;
    - (ii) each relevant standing contract price component (*GST* exclusive); and
  - (b) send (free of charge) a copy of the *price list* referred to in clause 1.7.2(a) to a *standing contract customer* on request.

- 1.7.3 On and from the *commencement date*, at least 10 *business days* prior to the commencement of a varied or new *standing contract price*, or the closure of a *standing contract price*, in accordance with this Standing Contract Price Determination, the *declared retailer* must publish:
- (a) in the *Gazette*, and on its website (in a prominent and readily accessible position) a notice setting out:
    - (i) the relevant varied, new or closed *standing contract price* or *standing contract prices* (GST exclusive and inclusive), and relevant assignment criteria; and
    - (ii) each relevant standing contract price component (GST exclusive).
  - (b) a notice in a newspaper circulating generally in the State setting out:
    - (i) the existence of the altered, new or closed *standing contract price* or *standing contract prices*;
    - (ii) a general description of the nature and applicability of the altered, new or closed *standing contract price* or *standing contract prices*; and
    - (iii) details of how the *price list* referred to in clause 1.7.2(a) may be accessed.

## 1.8 Modification of time periods

- 1.8.1 The *Commission* may, by written notice, extend the time by or within which anything required to be done by any party under this Standing Contract Price Determination must be done.
- 1.8.2 If the *Commission* makes a request for information for the purposes of making a decision or exercising any of its powers under this Standing Contract Price Determination, any time period within which the *Commission* is required to make a decision, notify any person or exercise any of its powers under this Standing Contract Price Determination:
- (a) stops running on the date the request is made; and
  - (b) starts to run again on the date that the *Commission* notifies the *declared retailer* in writing that the *Commission* is satisfied that the requested information has been provided.
- 1.8.3 If the *Commission* makes a request for information under clause 1.8.2, it will notify the *declared retailer*.



- (a) as soon as practicable after the request for information has been made, of the date the relevant time period stopped running; and
- (b) as soon as practicable after the *Commission* has decided that any information received satisfies the request for information, of the date the relevant time period started to run again.

## 1.9 Reviews of decisions

1.9.1 The *declared retailer* may make an application to the *Commission* for a review of a decision made, or deemed to have been made, under this Standing Contract Price Determination.

1.9.2 The only grounds for a review under this clause 1.9 are that a decision made, or deemed to have been made, under this Standing Contract Price Determination:

- (a) was not made in accordance with the requirements of this Standing Contract Price Determination;
- (b) is unreasonable having regard to all the relevant circumstances; or
- (c) is based wholly or partly on an error of fact in a material respect.

1.9.3 An application for a review of a decision must:

- (a) be in writing;
- (b) set out the decision made, or deemed to have been made, under this Standing Contract Price Determination to which the application relates;
- (c) set out in detail the grounds on which the *declared retailer* seeks review and the decision sought on the review;
- (d) be accompanied by any information that the *declared retailer* considers should be taken into account by the *Commission* in the review; and
- (e) be lodged with the *Commission* within 10 *business days* after the decision made, or deemed to have been made, under this Standing Contract Price Determination, is published.

1.9.4 The *Commission* will not review a decision made, or deemed to have been made, under this Standing Contract Price Determination where it determines that:

- (a) the application for review is vexatious; or

- (b) the subject matter of the application is trivial, misconceived or lacking in substance.
- 1.9.5 If an application is made for a review of a decision made, or deemed to have been made, under this Standing Contract Price Determination, the *Commission*:
  - (a) will publish a copy of the application on its website; and
  - (b) may invite submissions on the matter the subject of the review in a manner and within a period specified by the *Commission*.
- 1.9.6 A review will be decided within 6 weeks of the application being lodged with the *Commission*.
- 1.9.7 Subject to clause 1.8.1, if a review is not decided within that period, the *Commission* will be taken to have confirmed the decision made, or deemed to have been made, under this Standing Contract Price Determination on the same grounds on which the original decision was made.
- 1.9.8 After considering the application, the *Commission* may confirm, vary or substitute the decision.
- 1.9.9 The *Commission* will give the applicant and any other person who provides a submission to the review written notice of the *Commission's* decision under clause 1.9.8 and the reasons for that decision.
- 1.9.10 A decision of the *Commission* made under clause 1.9.8 may not be the subject of a subsequent application for review under this clause 1.9.

## **1.10 Collection and use of information**

- 1.10.1 Any information required to be provided by the *declared retailer* in accordance with this Standing Contract Price Determination is required by the *Commission* to be provided pursuant to Part 5 of the Essential Services Commission Act 2002.



## 2 STANDING CONTRACT PRICES

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### 2.1 Application of standing contract prices

- 2.1.1 The *declared retailer* must only charge a *standing contract customer* a *standing contract price* which has been fixed in accordance with this Standing Contract Price Determination in respect of the sale of electricity at a *connection point*.
- 2.1.2 Once a *standing contract price* has been set under this Standing Contract Price Determination, the *standing contract price*:
- (a) cannot be varied except as provided for in Chapter 3; and
  - (b) continues to apply until the earlier of:
    - (i) the date (if any) specified in this Standing Contract Price Determination on which the *standing contract price* ceases to apply; and
    - (ii) the date on which this Standing Contract Price Determination ceases to have effect.

### 2.2 Standing contract price components

- 2.2.1 Each *standing contract price* fixed under this Standing Contract Price Determination contains:
- (a) a fixed standing contract price component, which is comprised of the fixed distribution charges and fixed retail charges applicable to each relevant connection point;
  - (b) a variable standing contract price component, which is comprised of the variable distribution charges and variable retail charges applicable to each relevant connection point; and
  - (c) any pass through amounts approved by the Commission, which:
    - (i) may be recovered in a fixed or variable manner; and
    - (ii) do not form part of the fixed standing contract price component or variable standing contract price component.

### 2.3 Pass through of distribution charges

- 2.3.1 The *declared retailer* must, as agent for *ETSA Utilities*, for each relevant *connection point* pass through to a *standing contract customer* the *distribution charges* applicable to that connection point as fixed from time to time in accordance with the applicable *Electricity Distribution Determination*.



## 2.4 Standing contract price assignment

- 2.4.1 At the *commencement date*, the *declared retailer* must assign a *standing contract price* in respect of each *standing contract customer's connection point*.
- (a) as fixed in Schedule 1.A of the Initial Standing Contract Price Schedule; and
  - (b) in accordance with the criteria set out in Schedule 1.C of the Initial Standing Contract Price Schedule.
- 2.4.2 After the *commencement date*, the *declared retailer* must assign a *standing contract price* in respect of each *standing contract customer's connection point* in accordance with the criteria set out in the price list referred to in clause 1.7.2(a).
- 2.4.3 In determining which *standing contract price* a *standing contract customer* should be assigned to in respect of a *connection point* under clause 2.4.1 or clause 2.4.2, the *declared retailer* must treat *standing contract customers* in similar situations in a similar manner.
- 2.4.4 Nothing in this clause 2.4 will prevent a *standing contract customer* from exercising its right under clause 6.8 of Part A of the Energy Retail Code to apply to the *declared retailer* for assignment to a different *standing contract price*.

### 3 STANDING CONTRACT PRICE VARIATION

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#### 3.1 Standing contract prices fixed at the commencement date

3.1.1 The *standing contract price* which is fixed as the price which the *declared retailer* must charge a *standing contract customer* in respect of the sale of electricity at a *connection point* as at the *commencement date* is the relevant *standing contract price* under clause 2.4.1.

#### 3.2 Standing contract prices fixed from 1 August 2011

3.2.1 The *standing contract price* which is fixed as the price which the *declared retailer* must charge a *standing contract customer* in respect of the sale of electricity at a *connection point* on and from 1 August 2011 is the relevant *standing contract price* as established under this clause 3.2.

3.2.2 On or before 1 July 2011, the *Commission* will fix and publish the *standing contract prices* to apply from 1 August 2011.

3.2.3 The *standing contract prices* fixed under clause 3.2.2 will be calculated by the *Commission* by escalating each *standing contract price element* by the *RPMI* as calculated in accordance with the Price Path Schedule.

3.2.4 Following the publication of *standing contract prices* by the *Commission* under clause 3.2.2, the *declared retailer* must comply with the requirements of clause 1.7.

#### 3.3 Standing contract prices fixed from 1 July 2012 and 2013

3.3.1 Subject to clause 3.2.2, the *standing contract price* which is fixed as the price which the *declared retailer* must charge a *standing contract customer* in respect of the sale of electricity at a *connection point* for each *regulatory period* after 31 July 2012 is the relevant *standing contract price* as established under this clause 3.3.

3.3.2 The *standing contract price* which is fixed as the price which the *declared retailer* must charge a *standing contract customer* in respect of the sale of electricity at a *connection point* as at 1 January 2013 is the relevant *standing contract price*:

(a) as fixed in Schedule 1.B of the Initial Standing Contract Price Schedule;

(b) assigned to the relevant *connection point* in accordance with the criteria set out in Schedule 1.C of the Initial Standing Contract Price Schedule.

- 3.3.3 No later than 15 *business days* after the *AER* publishes the *distribution charges* for *ETSA Utilities* for the *regulatory period*, the *Commission* will determine and publish on its website the relevant *RPMI* as calculated in accordance with the Price Path Schedule.
- 3.3.4 No later than 2 *business days* after publication by the *Commission* under clause 3.3.1, the *declared retailer* must give to the *Commission* a statement in respect of the *declared retailer's* proposed *standing contract prices* for the *regulatory period* for approval that:
- (a) for each of the declared retailer's proposed standing contract prices for that regulatory period, sets out each standing contract price component;
  - (b) if any proposed *standing contract price* is a proposed new *standing contract price* to apply in that *regulatory period*, sets out:
    - (i) the proposed new *standing contract price* and criteria for assignment to that *standing contract price*;
    - (ii) a description of the service to which the proposed new *standing contract price* is to apply;
    - (iii) details of the comparable *distribution charge*;
    - (iv) if the proposed new *standing contract price* is intended to replace an existing *standing contract price*, details of that relevant existing *standing contract price*;
    - (v) the expected effect of the proposed new standing contract price on standing contract customers;
    - (vi) information as to which of the *standing contract customers* that are currently assigned to the relevant existing *standing contract price* are proposed to be or are eligible to be assigned to the proposed new *standing contract price*; and
    - (vii) how the *declared retailer* proposes to calculate and present the *retail charges* within the proposed new *standing contract price*;
  - (c) if the *declared retailer* proposes to close any existing *standing contract price* such that it will no longer apply for that *regulatory period*, sets out:
    - (i) details of the existing *standing contract price* which it proposes to close;
    - (ii) the effect of the proposed closure on *standing contract customers*; and

- (iii) the *standing contract price* to which *standing contract customers* will be eligible to be assigned after the closure of the existing *standing contract price*; and
  - (d) demonstrates and explains the compliance of the proposed *standing contract prices* and the matters set out in clause 3.3.4(a) with the relevant principles and formulae set out in the Price Path Schedule.
- 3.3.5 The *Commission* will only approve a statement given by the *declared retailer* under clause 3.3.4 if it is satisfied that the statement demonstrates the compliance of the proposed *standing contract prices* with the requirements of this clause 3.3 and the relevant principles and formulae in the Price Path Schedule.
- 3.3.6 When the *Commission* advises the *declared retailer* that it approves a statement in accordance with clause 3.3.5, or a statement is deemed to have been approved in accordance with clause 3.3.8, then:
  - (a) the proposed *standing contract prices* will be the *standing contract prices* fixed for that regulatory period; and
  - (b) the *declared retailer* must publish those *standing contract prices* in accordance with clause 1.7;
  - (c) in respect of any new *standing contract prices* or closed *standing contract prices*, the *declared retailer* must, 10 *business days* prior to the commencement or closure of the *standing contract prices*, ensure that:
    - (i) where relevant, *standing contract customers* are advised of the closure of the *standing contract price*;
    - (ii) any new existing *standing contract price* only applies to a *standing contract customer* in accordance with the requirements of the Energy Retail Code; and
    - (iii) all *standing contract customers* who are to be assigned to a new *standing contract price* are notified of that assignment.
- 3.3.7 When the *Commission* advises the *declared retailer* that it does not approve a statement in accordance with clause 3.3.5, then the *Commission* may in its absolute discretion:
  - (a) substitute its own *standing contract prices* by escalating each *standing contract price element* by the *RPMI* as calculated in accordance with the Price Path Schedule; or



- (b) require the *declared retailer* to submit a new or varied statement under clause 3.3.4 in accordance with any requirements as to content, information, timeframe or similar matters as specified by the *Commission*.
- 3.3.8 When the *Commission* does not advise the *declared retailer* that it approves a statement in accordance with clause 3.3.5 within 5 *business days* of receipt then:
- (a) the *Commission* is deemed to have approved the statement for the purposes of clause 3.3.5; and
  - (b) the *declared retailer* must publish those *standing contract prices* in accordance with clause 1.7.
- 3.3.9 When the *Commission* substitutes *standing contract prices* under clause 3.3.7(a), then:
- (a) those standing contract prices will be the standing contract prices fixed for that regulatory period;
  - (b) the *Commission* will notify the *declared retailer* of the *standing contract prices*; and
  - (c) the *declared retailer* must publish those *standing contract prices* in accordance with clause 1.7.
- 3.3.10 When the *Commission* requires the *declared retailer* to submit a new or varied statement under clause 3.3.7(b):
- (a) it will consider any new or varied statement submitted by the *declared retailer* in accordance with clause 3.3.5 and clause 3.3.6, provided that it will not permit any subsequent statement to be submitted under clause 3.3.7(b); or
  - (b) where the *declared retailer* does not submit a new or varied statement, substitute its own *standing contract prices* in accordance with clause 3.3.7(a).

## 3.4 Pass through events

- 3.4.1 If a *pass through event* occurs, the *declared retailer* may seek the *Commission's* approval to pass through into *standing contract prices* a *pass through amount*.

### 3.5 Pass through application

- 3.5.1 To seek the *Commission's* approval to pass through a *pass through amount* under clause 3.4.1, the *declared retailer* must make an application to the *Commission* within 60 *business days* of the *pass through event* occurring, specifying:
- (a) details of the pass through event;
  - (b) the date on which the *pass through event* took or is expected to take effect;
  - (c) the best estimates of the financial effects of the *pass through event* on the provision of *standing contracts* by the *declared retailer*;
  - (d) the pass through amount the declared retailer proposes in relation to the pass through event;
  - (e) the basis on which the declared retailer proposes to apply the pass through amount to standing contract prices and standing contract price components; and
  - (f) the date from, and period over which, the *declared retailer* proposes to apply the *pass through amount*.
- 3.5.2 The *Commission* will publish an application received under clause 3.5.1 on its website within 5 *business days* of receipt of the application from the *declared retailer*.

### 3.6 Approval of pass through application

- 3.6.1 When the *Commission* receives an application under clause 3.5.1 in relation to a proposed *pass through event*, it will consider the matters set out in that application and determine whether or not the proposed *pass through event* has occurred.
- 3.6.2 Where the *Commission* determines that a *pass through event* has occurred, having regard to the matters set out in that application and to the factors set out in clause 3.7 the *Commission* will:
- (a) decide the pass through amount;
  - (b) decide the basis on which the pass through amount may be applied to standing contract prices and standing contract price components;
  - (c) decide the date from, and period over which, the *pass through amount* may be applied;

- (d) notify the *declared retailer* in writing of its decisions under clauses 3.6.2(a),(b) and (c) within 30 *business days* of the *Commission* receiving the application; and
- (e) publish a notice on its website advising of the *Commission's* decisions.

3.6.3 If the *Commission* does not give a notice to the *declared retailer* under clause 3.6.2 or clause 3.8.1 within 30 *business days* of receiving an application under clause 3.5.1, then on the 31<sup>st</sup> *business day* after receiving the application the *Commission* is deemed to have notified the *declared retailer* of its decision that:

- (a) the pass through amount; and
- (b) the basis on, date from and period over which the *pass through amount* may be applied,
- (c) are as specified in the *declared retailer's* application.

### 3.7 Relevant factors

3.7.1 In making a decision under clause 3.6 or clause 3.9, the *Commission* will seek to ensure that the financial effect on the *declared retailer* associated with the *relevant pass through event* concerned is economically neutral, taking into account:

- (a) the number of standing contracts customers subject to each standing contract price;
- (b) the time cost of money for the period over which the *pass through amount* is to be applied;
- (c) the basis on and period over which the *pass through amount* is to be applied;
- (d) the financial effect on the *declared retailer* associated with the provision of *retail services* directly attributable to the *pass through event* and the time at which the financial effect arises;
- (e) any *pass through amount* relating to a previous *pass through event*, which resulted in the *declared retailer* recovering an amount either more or less than the financial effect on the *declared retailer* of that previous *relevant pass through event*; and
- (f) any other factors the *Commission* considers relevant.

### 3.8 Non-approval of pass through application

- 3.8.1 If the *Commission* does not approve an application under clause 3.5.1, it will
- (a) notify the *declared retailer* in writing of that decision and the reasons for that decision within 30 *business days* of the *Commission* receiving that application; and
  - (b) publish a notice on its website advising of the non-approval of the application.

### 3.9 Required pass through

- 3.9.1 If a *pass through event* occurs, and the *declared retailer* does not give the *Commission* an application under clause 3.5.1, the *Commission* may require the *declared retailer* to pass through a *pass through amount* as a *standing contract price component*.
- 3.9.2 If the *Commission* decides to require the *declared retailer* to pass through a *pass through amount*, having regard to the factors set out in clause 3.7, the *Commission* will:
- (a) decide the pass through amount;
  - (b) decide the basis on which the pass through amount may be applied to standing contract prices and standing contract price components;
  - (c) decide the date from, and period over which, the *pass through amount* must be applied; and
  - (d) notify the *declared retailer* in writing of the *Commission's* decision and the reasons for that decision.

### 3.10 Notice and application of pass through amount

- 3.10.1 The *declared retailer* must, after receipt of notification under clause 3.6.2 or 3.9.2, or deemed receipt of notification under clause 3.6.3, allowing or requiring the *declared retailer* to pass through a *pass through amount*:
- (a) publish in a prominent and readily accessible location on its website, a notice setting out:
    - (i) the *pass through amount* which the *Commission* has approved or is deemed to have approved;
    - (ii) the circumstances giving rise to the *pass through amount*; and
    - (iii) the basis on, date from and period over which the *pass through amount* will be applied to the *standing contract prices*;

- (b) apply the *pass through amount* on the basis, from the date and over the period specified or deemed to be specified in the notice from the *Commission*; and
- (c) publish the varied *standing contract price* in accordance with clause 1.7.

### 3.11 Price path calculations

3.11.1 A *pass through amount* approved under this Chapter will not be taken into account in determining the variation of *standing contract prices* between *regulatory periods* in accordance with the principles and formulae in the Price Path Schedule.

### 3.12 Forecasts and estimates

3.12.1 For the purposes of an application submitted by the *declared retailer* in accordance with this Chapter:

- (a) forecasts of demand, energy and revenue for a *regulatory period* must be based on the best forecasts available at the time the application is prepared; and
- (b) estimates of demand, energy and revenue for a *regulatory period* must be based on the actual results for that part of the *regulatory period* that are available at the time the application is prepared and the best forecasts available for the rest of the *regulatory period*.

## 4 DEFINITIONS AND INTERPRETATION

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### 4.1 Definitions

In this Standing Contract Price Determination:

<b><i>AER</i></b>	means the Australian Energy Regulator established under Part IIIAA of the Trade Practices Act 1974.
<b><i>business day</i></b>	means a day on which banks are open for general banking business in Adelaide, other than a Saturday or a Sunday.
<b><i>commencement date</i></b>	means 1 January 2011.
<b><i>Commission</i></b>	means the Essential Services Commission established under the Essential Services Commission Act 2002.
<b><i>connection point</i></b>	means the point of connection between a <i>standing contract customer's</i> electrical installation and the distribution network.
<b><i>declared retailer</i></b>	means the retailer declared under section 36AA of the Electricity Act 1996 and, as at the <i>commencement date</i> , is AGL South Australia Pty Ltd (ACN 091 105 092).
<b><i>distribution charges</i></b>	means the prices for distribution services provided by <i>ETSA Utilities</i> which are classified and regulated as standard control services in accordance with any applicable <i>Electricity Distribution Determination</i> .
<b><i>Electricity Distribution Determination</i></b>	means any price determination made in accordance with the National Electricity (South Australia) Act 1996 which is binding in its application upon <i>ETSA Utilities</i> in respect of the prices which <i>ETSA Utilities</i> can charge for the provision of distribution



**ETSA Utilities**

services.

means ETSA Utilities (ABN 13 332 330 749) a partnership of: Spark Infrastructure (No.1) Pty Ltd (ABN 54 091 142 380), Spark Infrastructure (No.2) Pty Ltd (ABN 19 091 143 038), Spark Infrastructure (No.3) Pty Ltd (ABN 50 091 142 362), CKI Utilities Development Ltd (ABN 65 090 718 880) and HEI Utilities Development Ltd (ABN 82 090 718 951).

***fixed distribution charge***

means that part of a *distribution charge* which does not vary in accordance with the consumption of electricity at a *connection point*.

***fixed market price component***

means that part of a *market contract price* which is the sum of a *fixed distribution charge* and a *fixed retail charge*.

***fixed retail charge***

means that part of a *retail charge* which does not vary in accordance the consumption of electricity at a *connection point*.

***fixed standing contract price component***

means that part of a *standing contract price* which is the sum of a *fixed distribution charge* and a *fixed retail charge*.

**Gazette**

means the South Australian Government Gazette.

**GST**

means the tax imposed under *GST Law*

**GST Law**

has the meaning attributed in the A New Tax System (Goods and Services Tax) Act 1999, and terms related to *GST* such as “ABN”, “Input Tax Credit”, “Taxable Supply” and “Tax Invoice” have the meaning attributed in the *GST Law*.

<b><i>initial regulatory period</i></b>	means the period 1 January 2011 to 31 July 2011.
<b><i>market contract</i></b>	means a contract for the sale of electricity offered to a <i>small customer</i> by the holder of a retail electricity licence issued by the <i>Commission</i> under Part 3 of the Electricity Act 1996 other than a <i>standing contract</i> or a default contract (as defined in the Electricity Act 1996).
<b><i>market contract customer</i></b>	means a <i>small customer</i> who has entered into a <i>market contract</i> with the holder of a retail electricity licence issued by the <i>Commission</i> under Part 3 of the Electricity Act 1996.
<b><i>market contract price</i></b>	means the price (which is the sum of all of <i>market contract price components</i> ) charged for the sale of electricity to a <i>market contract customer</i> by any holder of a retail electricity licence issued by the <i>Commission</i> under Part 3 of the Electricity Act 1996.
<b><i>market contract price component</i></b>	means each of the <i>variable market contract price components</i> and the <i>fixed market contract price component</i> which form part of a <i>market contract price</i> .
<b><i>obliged retailer</i></b>	means, in respect of a <i>regulatory period</i> , the holder of a retail electricity licence issued by the <i>Commission</i> under Part 3 of the Electricity Act 1996 which has more than 5,000 <i>market contract customers</i> as at 30 June in the previous <i>regulatory period</i> .
<b><i>pass through amount</i></b>	means the positive or negative amount which is incorporated into <i>standing contract prices</i> as a result of the



***pass through event***

occurrence of a *pass through event*.

means any action of a party other than the *declared retailer* which:

- a) has binding effect at law on the *declared retailer*;
- b) is outside of the control of the *declared retailer*;
- c) affects only the *declared retailer*;
- d) places a special legal or regulatory burden on the *declared retailer* in respect of its statutory obligations as the *declared retailer*; and
- e) would result in the *declared retailer* incurring materially higher or lower costs in providing *standing contracts* than it would have incurred but for that event.

***price list***

means the list setting out all *standing contract prices* and *standing contract price components* published under clause 1.7 and is the “price list” for the purposes of Part B of the Energy Retail Code made by the *Commission* pursuant to section 28 of the *Essential Services Commission Act 2002*.

***price path period***

means the period 1 January 2011 to 30 June 2014.

***regulatory period***

means each of the following periods:

- a) the *initial regulatory period*;
- b) 1 August 2011 to 31 July 2012;
- c) 1 July 2012 to 31 July 2013; and
- d) 1 July 2013 to 30 June 2014.

***retail charges***

means the charges which the *declared*

*retailer* may charge a *standing contract customer* at a *connection point* in relation to the provision of *standing contracts* to *small customers*.

***RPMI***

means the Retail Price Movement Index calculated in accordance with the Price Path Schedule.

***small customer***

means a customer (as defined in the Electricity Act 1996) which consumes less than 160MWh of electricity per annum through a *connection point*.

***standing contract***

means a contract for the sale of electricity which the *declared retailer* is obliged to offer to *small customers* in accordance with sections 36 and 36AA of the Electricity Act 1996.

***standing contract customers***

means a *small customer* who has entered into a *standing contract* with the *declared retailer* in accordance with section 36AA of the Electricity Act 1996.

***standing contract price component***

means each of the parts of a *standing contract price* specified in clause 2.2.1.

***standing contract price***

means the prices fixed under this Standing Contract Price Determination for the purposes of section 36AA of the Electricity Act 1996.

***variable distribution charge***

means that part of a *distribution charge* which:

- a) varies in accordance with the consumption of electricity at a *connection point*, and
- b) which may contain more than one element.



***variable market contract price component*** means that part of a *market contract price* which is the sum of a *variable distribution charge* and a *variable retail charge*.

***variable retail charge*** means that part of a *retail charge* which:

- a) varies in accordance the consumption of electricity at a *connection point*; and
- b) which may contain more than one element.

***variable standing contract price component*** means that part of a *standing contract price* which is the sum of a *variable distribution charge* and a *variable retail charge*.

## 4.2 Principles of interpretation

Unless the contrary intention appears, these principles of interpretation apply to this Standing Contract Price Determination:

- 4.2.1 Words denoting persons include corporations, unincorporated associations, firms, governments and governmental agencies.
- 4.2.2 A reference to a person includes that person's agents, successors and permitted assigns, persons who have control over any assets of a person and receivers, managers, trustees, administrators and liquidators and similar persons appointed over:
  - (a) a person; or
  - (b) any assets of a person;
- 4.2.3 Headings are only included for convenience and do not affect the interpretation of this Standing Contract Price Determination.
- 4.2.4 A reference to a clause, Chapter, Part or Schedule is to a clause, Chapter or Part of or Schedule to this Standing Contract Price Determination.
- 4.2.5 A reference to an agreement, document, regulatory instrument or part thereof is a reference to that agreement, document, regulatory instrument or part thereof as varied, replaced or substituted from time to time and includes

any Schedules or attachments to the agreement, document or regulatory instrument.

- 4.2.6 A reference to legislation or regulatory instrument, or to a provision of the legislation or regulatory instrument, includes a modification, re-enactment or re-making of it, a provision substituted for it and a regulation or other statutory instrument issued under it.
- 4.2.7 All *standing contract prices* calculated under this Standing Contract Price Determination must be rounded to the accuracy, in terms of the number of decimal places, required by the *declared retailer's* charging and billing systems.
- 4.2.8 A *standing contract price* that has been calculated and rounded under the principles in clause 4.2.7 must not be rounded to a different level of accuracy when utilised in calculations made under this Standing Contract Price Determination.



## SCHEDULE 1 INITIAL STANDING CONTRACT PRICE SCHEDULE

### 1.A Initial standing contract prices

#### Standing Contract Prices

TARIFF CATEGORIES	GST Exclusive			GST Inclusive
	Prescribed Distribution Service Tariffs	Retailer Tariffs	Standing Contract Prices	Standing Contract Prices
<b>Domestic Light/Power 110</b>				
<b><u>From 1 Jan - 31 Mar</u></b>				
First 3.2877 kWh/day (c/kWh)	7.38	14.79	22.17	24.38
Next 7.6712 kWh/day (c/kWh)	7.38	16.78	24.16	26.57
Next 16.4384 kWh/day (c/kWh)	10.44	16.82	27.26	29.99
Next 27.3973 kWh/day (c/kWh)	12.49	16.85	29.35	32.28
Thereafter (c/kWh)	12.49	16.85	29.35	32.28
Supply Charge (c/day)	28.07	19.30	47.37	52.11
<b><u>From 1 Apr - 30 Jun</u></b>				
First 3.2877 kWh/day (c/kWh)	7.38	13.66	21.03	23.13
Next 7.6712 kWh/day (c/kWh)	7.38	14.05	21.43	23.57
Next 16.4384 kWh/day (c/kWh)	10.44	14.08	24.52	26.97



	Next 27.3973 kWh/day (c/kWh)	12.49	14.11	26.61	29.27
	Thereafter (c/kWh)	12.49	14.11	26.61	29.27
	Supply Charge (c/day)	28.07	19.30	47.37	52.11
<b>Charitable 112</b>	First 27.3973 kWh/day (c/kWh)	9.00	13.92	22.92	25.21
	Next 246.5753 kWh/day (c/kWh)	10.57	13.94	24.51	26.96
	Next 273.9726 kWh/day (c/kWh)	11.27	13.95	25.22	27.74
	Thereafter (c/kWh)	11.27	13.95	25.22	27.74
	Supply Charge (c/day)	28.07	18.14	46.20	50.82
<b>Off-peak Controlled Load 116</b>	First 21.9178 kWh/day (c/kWh)	2.89	7.29	10.18	11.19
	Thereafter (c/kWh)	3.68	7.31	10.99	12.09
	Supply Charge (c/day)				
<b>General Supply 126</b>	<b><u>From 1 Jan - 31 Mar</u></b>				
	First 27.3973 kWh/day (c/kWh)	9.00	15.31	24.30	26.73
	Next 246.5753 kWh/day	10.57	15.33	25.91	28.50

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	(c/kWh)				
	Next 273.9726 kWh/day (c/kWh)	11.27	15.35	26.62	29.28
	Thereafter (c/kWh)	11.27	15.35	26.62	29.28
	Supply Charge (c/day)	28.07	18.14	46.20	50.82
	<b><u>From 1 Apr - 30 Jun</u></b>				
	First 27.3973 kWh/day (c/kWh)	9.00	13.93	22.93	25.22
	Next 246.5753 kWh/day (c/kWh)	10.57	13.95	24.52	26.97
	Next 273.9726 kWh/day (c/kWh)	11.27	13.96	25.23	27.76
	Thereafter (c/kWh)	11.27	13.96	25.23	27.76
	Supply Charge (c/day)	28.07	18.14	46.20	50.82
<b>General Supply 126M</b>	<b><u>From 1 Jan - 31 Mar</u></b>				
<b>(Monthly Meter Read)</b>	First 27.3973 kWh/day (c/kWh)	9.00	15.31	24.30	26.73
	Next 246.5753 kWh/day (c/kWh)	10.57	15.35	25.92	28.51
	Next 273.9726 kWh/day (c/kWh)	11.27	15.35	26.62	29.28
	Thereafter (c/kWh)	11.27	15.35	26.62	29.28
	Supply Charge (c/day)	28.07	18.14	46.20	50.82
	<b><u>From 1 Apr - 30 Jun</u></b>				



First 27.3973 kWh/day (c/kWh)	9.00	13.93	22.93	25.22
Next 246.5753 kWh/day (c/kWh)	10.57	13.95	24.52	26.97
Next 273.9726 kWh/day (c/kWh)	11.27	13.96	25.23	27.76
Thereafter (c/kWh)	11.27	13.96	25.23	27.76
Supply Charge (c/day)	28.07	18.14	46.20	50.82
<b>General Supply Time</b>				
<b>Of Use 128</b>				
<b><u>From 1 Jan - 31 Mar</u></b>				
First 54.7945 kWh/day (c/kWh)	12.01	17.83	29.85	32.83
Next 219.1781 kWh/day (c/kWh)	12.01	16.95	28.96	31.86
Next 273.9726 kWh/day (c/kWh)	12.01	17.00	29.01	31.91
Thereafter (c/kWh)	12.01	17.00	29.01	31.91
Supply Charge (c/day)	28.07	18.14	46.20	50.82
<b><u>From 1 Apr - 30 Jun</u></b>				
First 54.7945 kWh/day (c/kWh)	12.01	15.61	27.62	30.38
Next 219.1781 kWh/day (c/kWh)	12.01	13.56	25.58	28.13
Next 273.9726 kWh/day (c/kWh)	12.01	13.56	25.58	28.13

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	Thereafter (c/kWh)	12.01	13.56	25.58	28.13
	Supply Charge (c/day)	28.07	18.14	46.20	50.82
	<b>Off Peak</b>				
	For all consumption (c/kWh)	3.36	10.35	13.71	15.08
<hr/>					
<b>General Supply Time Of Use 128M</b>	<b><u>From 1 Jan - 31 Mar</u></b>				
<b>(Monthly Meter Read)</b>	First 54.7945 kWh/day (c/kWh)	12.01	17.72	29.73	32.70
	Next 219.1781 kWh/day (c/kWh)	12.01	16.84	28.85	31.74
	Next 273.9726 kWh/day (c/kWh)	12.01	16.88	28.89	31.78
	Thereafter (c/kWh)	12.01	16.88	28.89	31.78
	Supply Charge (c/day)	28.07	18.14	46.20	50.82
	<b><u>From 1 Apr - 30 Jun</u></b>				
	First 54.7945 kWh/day (c/kWh)	12.01	15.71	27.73	30.50
	Next 219.1781 kWh/day (c/kWh)	12.01	13.56	25.58	28.13
	Next 273.9726 kWh/day (c/kWh)	12.01	13.56	25.58	28.13
	Thereafter (c/kWh)	12.01	13.56	25.58	28.13



	Supply Charge (c/day)	28.07	18.14	46.20	50.82
	<b>Off Peak</b>				
	For all consumption (c/kWh)	3.36	10.35	13.71	15.08
<b>Obsolete 140</b>	First 54.7945 kWh/day (c/kWh)	12.01	13.96	25.97	28.57
	Next 219.1781 kWh/day (c/kWh)	12.01	12.88	24.89	27.38
	Next 273.9726 kWh/day (c/kWh)	12.01	12.88	24.89	27.38
	Thereafter c/kWh	12.01	12.88	24.89	27.38
	Supply Charge (c day)	28.07	13.51	41.58	45.74
	<b>Off Peak</b>				
	For all consumption (c/kWh)	3.36	9.94	13.30	14.63
<b>Obsolete 140M</b>	First 54.7945 kWh/day (c/kWh)	12.01	13.96	25.97	28.57
<b>(Monthly Meter Read)</b>	Next 219.1781 kWh/day (c/kWh)	12.01	12.88	24.89	27.38
	Next 273.9726 kWh/day	12.01	12.88	24.89	27.38

(c/kWh)				
Thereafter c/kWh	12.01	12.88	24.89	27.38
Supply Charge (c day)	28.07	13.51	41.58	45.74
<b>Off Peak</b>				
For all consumption (c/kWh)	3.36	9.94	13.30	14.63

### Unmetered Supply Prices

UNMETERED SUPPLIES	Wattage / Other Details	Unit	GST Exclusive			GST Inclusive
			Prescribed Distribution Service Tariffs	Retailer Tariffs	Standing Contract Prices	Standing Contract Prices
<b>SPECIAL PUBLIC LIGHTING TARIFFS</b>						
Telstra Cabinet	1x20W	\$ per year	10.6135	201.4596	212.07	233.280
Traffic Control Beacons	1 x 30 W	\$ per year	4.9689	17.8611	22.83	25.113
	1 x 20 W	\$ per year	7.0148	6.0157	13.03	14.334
	& 4x20 W	\$ per year	36.0767	11.1757	47.25	51.978
	& 4x40 W	\$ per year	72.1527	21.8675	94.02	103.422
	& 1x67 W	\$ per year	11.0236	40.1257	51.15	56.264
	& 1x60 W	\$ per year	9.5204	36.4294	45.95	50.545
	& 1x70 W	\$ per year	11.5249	41.9862	53.51	58.862
	63 W	\$ per year	22.5475	17.7868	40.33	44.368
	& 1x100 W	\$ per year	16.0338	60.6289	76.66	84.329
	94 W Quartz Halo	\$ per year	34.0725	26.4568	60.53	66.582
Restricted 1x35 W	\$ per year	0.5011	29.3098	29.81	32.792	
35 W Quartz Halo	\$ per year	12.5270	9.9353	22.46	24.709	



	50 W Quartz Halo	\$ per year	18.0383	14.3509	32.39	35.628
	250 W Neon & 4x20 W - 619	\$ per year	90.1911	71.0355	161.23	177.349
	& 4x40 W - 618	\$ per year	2.0045	68.4308	70.44	77.479
	& 4X150 W	\$ per year	4.0090	136.3778	140.39	154.425
		\$ per year	100.1713	563.4842	663.66	730.021
Bus Shelter Sign	4x58 W (a)	\$ per year	37.5922	868.1792	905.77	996.349
	4x58 W (b)	\$ per year	83.6775	1,115.4206	1,199.10	1,319.008
	1x18 W	\$ per year	2.9167	178.2152	181.13	199.245
	4x18 1x9 W	\$ per year	13.1249	396.7918	409.92	450.908
	2 x 56 W	\$ per year	18.7064	244.9095	263.62	289.977
	1x170 W	\$ per year	27.5459	273.4378	300.98	331.082
LED	12 W	\$ per year	0.5011	19.6969	20.20	22.218
Gaseous Tubes	Fixed Charge	\$ per year		79.1599	79.16	87.076
	Usage Charge	\$/W/Month	16.0236	0.1661	16.19	17.809
Unmetered Supplies - Large	Fixed Charge	\$ per year		184.8388	184.84	203.323
	Usage Charge	c/kWh	3.9554	17.0426	21.00	23.098
Unmetered Supplies - Small		\$ per year	28.9032	187.6667	216.57	238.227
Security camera		\$ per year	43.9041	140.5702	184.47	202.922
<b>PUBLIC LIGHTING</b>						
Sodium (Low Pressure)	18 W	\$ per Year	5.9437	12.1059	18.05	19.855
	26 W	\$ per Year	7.2760	14.5619	21.84	24.022
	55 W	\$ per Year	16.2927	31.2694	47.56	52.318
	90 W	\$ per Year	23.3783	44.4173	67.80	74.575
	135 W	\$ per Year	34.4333	64.8833	99.32	109.248
Sodium (High Pressure)	50 W	\$ per Year	12.2973	23.8770	36.17	39.792
	100 W	\$ per Year	24.4169	46.3151	70.73	77.805
	150 W	\$ per Year	35.0409	66.0369	101.08	111.186
	250 W	\$ per Year	55.3969	103.7190	159.12	175.027
	400 W	\$ per Year	89.2029	166.3697	255.57	281.130
Sodium	70 W	\$ per Year	17.4509	33.4029	50.85	55.939
Sodium Flood	360 W	\$ per Year	101.6013	123.4284	225.03	247.533
Sodium Flood 400 All Yr	1 x 400 W	\$ per Year	89.2029	166.3697	255.57	281.130

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Mercury (High Pressure)	50 W	\$ per Year	13.2379	25.6010	38.84	42.723
	70 W	\$ per Year	16.4322	31.5300	47.96	52.758
	80 W	\$ per Year	19.3155	36.8511	56.17	61.783
	100 W	\$ per Year	22.5223	42.8173	65.34	71.874
	125 W	\$ per Year	28.7094	54.2782	82.99	91.286
	250 W	\$ per Year	54.7881	102.5904	157.38	173.116
	400 W	\$ per Year	87.2552	162.7479	250.00	275.003
	3 by 125 W	\$ per Year	86.1280	160.6641	246.79	271.471
	2 by 400 W	\$ per Year	174.5102	324.4167	498.93	548.820
	Mercury Flood	400 W	\$ per Year	94.9819	177.0492	272.03
750 W		\$ per Year	158.2158	294.2263	452.44	497.686
Mercury Flood (all year)	400 W	\$ per Year	47.2755	87.9913	135.27	148.793
Tubular Fluorescent	20 W	\$ per Year	5.8363	11.8950	17.73	19.504
	40 W	\$ per Year	10.2478	20.0690	30.32	33.348
	2 by 20 W	\$ per Year	11.8875	23.0955	34.98	38.481
	4 by 20 W	\$ per Year	20.3474	38.7860	59.13	65.047
	1 by 40 W	\$ per Year	5.5289	11.3617	16.89	18.580
	2 by 40 W	\$ per Year	20.3474	38.7860	59.13	65.047
	3 by 40 W	\$ per Year	30.3841	57.3667	87.75	96.526
	4 by 40 W	\$ per Year	40.5469	76.2202	116.77	128.444
Tubular Fluorescent (continous)	20 W	\$ per Year	13.3913	25.9236	39.31	43.246
Sodium Street	1 by 55 W	\$ per Year	30.4348	57.5280	87.96	96.759
Fluorescent / Gas Tube	2 by 8 W	\$ per Year	4.5282	9.4763	14.00	15.405
<b>SPECIAL PUBLIC LIGHTING TARIFFS</b>						
Special Floodlighting	1000W metal halide	\$ per Year	223.0072	414.2810	637.29	701.017
	400W mercury	\$ per Year	81.1087	148.8187	229.93	252.920
Energy-only Tariffs	50W high pressure sodium	\$ per Year	12.2973	23.8770	36.17	39.792
	100W high pressure sodium	\$ per Year	24.4169	46.3151	70.73	77.805
Private Floodlighting ( night sight )	360W sodium	\$ per Year	80.2826	149.8357	230.12	253.130
	940W sodium	\$ per Year	209.8182	389.9078	599.73	659.699
	80W mercury	\$ per Year	18.2609	34.7177	52.98	58.276
	400W mercury	\$ per Year	94.9819	177.0492	272.03	299.234



	1000W mercury	\$ per Year	236.0623	438.4805	674.54	741.997	
Incandescent Street Lights	60W (and less)	\$ per Year	12.2197	23.7405	35.96	39.556	
	100 W	\$ per Year	20.3474	38.7860	59.13	65.047	
	150 W	\$ per Year	30.3841	57.3667	87.75	96.526	
	200 W	\$ per Year	40.5290	76.1582	116.69	128.356	
	300 W	\$ per Year	60.9203	113.9769	174.90	192.387	
	500 W	\$ per Year	101.6013	189.3784	290.98	320.078	
	1000 W	\$ per Year	202.7972	376.9212	579.72	637.690	
Mercury Street Lights	80 W	\$ per Year	18.2609	34.9409	53.20	58.522	
	125 W	\$ per Year	28.7094	54.2782	82.99	91.286	
Floodlights Incandescent (All year use)	150 W	\$ per Year	30.3823	57.3543	87.74	96.510	
	300 W	\$ per Year	60.9313	113.9769	174.91	192.399	
	500 W	\$ per Year	101.6013	189.4405	291.04	320.146	
	750 W	\$ per Year	152.1892	283.0630	435.25	478.777	
	1000 W	\$ per Year	202.7972	376.9212	579.72	637.690	
	1500 W	\$ per Year	304.3783	565.0718	869.45	956.395	
	1 by 300 W	\$ per Year	32.9710	61.7080	94.68	104.147	
	Mercury 250 W	\$ per Year	54.7881	102.5904	157.38	173.116	
	Mercury 400 W	\$ per Year	94.9819	177.0492	272.03	299.234	
	Sodium 90 W	\$ per Year	23.3841	44.4173	67.80	74.582	
	(Seasonal use )	Mercury 400 W	\$ per Year	94.9819	177.0492	272.03	299.234
	Mercury Fluorescent	2 by 400 W	\$ per Year	174.4928	324.4416	498.93	548.828
	<b>METAL HALIDE REAR CONTROL GEAR</b>	70 W	\$ per Year	16.6850	32.0385	48.72	53.596
100 W		\$ per Year	22.3822	42.5568	64.94	71.433	
175 W		\$ per Year	38.8636	73.1193	111.98	123.181	
250 W		\$ per Year	54.5310	102.2431	156.77	172.452	
400 W		\$ per Year	86.4767	161.5448	248.02	272.824	
1500 W		\$ per Year	317.4200	590.0775	907.50	998.247	
<b>METAL HALIDE - CONSTANT WATTAGE CONTROL GEAR</b>	150 W	\$ per Year	35.2010	66.3717	101.57	111.730	
	250 W	\$ per Year	58.1938	109.0153	167.21	183.930	
	400 W	\$ per Year	91.3600	170.5746	261.93	288.128	

**1.B 1 January 2013 standing contract prices**

<u>TARIFF CATEGORIES</u>	<u>GST Exclusive</u>			<u>GST Inclusive</u>
	<u>Prescribed Distribution Service Tariffs</u>	<u>Retailer Tariffs</u>	<u>Standing Contract Prices</u>	<u>Standing Contract Prices</u>
<u>TBC</u>	<u>TBC</u>	<u>TBC</u>	<u>TBC</u>	<u>TBC</u>

**1.C Standing contract price assignment principles**

1. Standing and default contract price categories will only apply to small customers (that is, those customers who consume less than 160MWh of electricity per annum) who are purchasing electricity under AGL SA’s standing contract terms and conditions. Standing contract prices apply in accordance with the following principles:
  - (a) “Daily Consumption” is the total electricity consumption for the period to which the customer’s bill relates, divided by the number of days in that period;
  - (b) Domestic Light/Power 110: Applicable to all residential consumption (excluding Off-Peak Controlled Load Tariff 116) in premises used wholly or principally as private residences;
  - (c) Charitable Institutions 112: Available to charitable institutions that have been endorsed by the Australian Taxation Office as an income tax exempt Charitable Entity under Subdivision 50-B of the Income Tax Assessment Act 1997.
  - (d) Controlled Load 116: For electricity used in permanently installed storage water heaters with a rated delivery of not less than 125 litres, storage space heaters and other approved thermal storage applications; the hours of application are fixed from time to time by AGL SA with control by time switch or other means.

This price does not apply to electricity used outside those hours.

Customers who were taking supply under this tariff, or who had applied to do so, as at 30 June 2003 are subject to the conditions which were applicable at that date.



This price is only available in conjunction with tariffs 110, 112, 126, 126M, 128, 128M , 140 or 140M.

- (e) General Supply 126: available only to non-residential customers;
- (f) General Supply 126M (Monthly Meter Reading): available only to non-residential customers. Applies to customers whose meters are scheduled to be read monthly, and who are billed monthly. A monthly meter reading fee applies to this tariff in addition to the above prices.
- (g) General Supply Time of Use 128: Available only to non-residential customers with appropriate metering. Includes customers previously on tariffs 120 + 121 and 130 + 131 who were taking supply under those tariffs, or who had applied to do so, as at 30 June 1997. Those customers are subject to the conditions which were applicable to those tariffs at that date, in addition to the current conditions.
- (h) General Supply Time of Use 128M (Monthly Meter Reading): Available only to non-residential customers with appropriate metering. Includes customers previously on tariffs 120 + 121 and 130 + 131 who were taking supply under those tariffs, or who had applied to do so, as at 30 June 1997. Those customers are subject to the conditions which were applicable to those tariffs at that date, in addition to the current conditions.

Applies to customers whose meters are scheduled to be read monthly, and who are billed monthly.

A monthly meter reading fee applies to this tariff in addition to the above prices.

- (i) Obsolete Tariff 140 (formerly Farm Tariff 140): Applies only to small customers that were taking supply under Obsolete Tariff 140, or who had applied to do so, as at 30 June 1997. Conditions applicable at that date apply, in addition to the current conditions;
- (j) Obsolete Tariff 140M (Monthly Meter Reading): Applies only to small customers that were taking supply under Obsolete Tariff 140, or who had applied to do so, as at 30 June 1997. Conditions applicable at that date apply, in addition to the current conditions.

Applies to customers whose meters are scheduled to be read monthly, and who are billed monthly.

A monthly meter reading fee applies to this tariff in addition to the above prices.

2. Peak period is 0700 hours to 2100 hours from Monday to Friday (Central Standard Time) for all tariffs other than tariff 110 except where the network meters do not recognise specific tariff days. In these situations peak period is 0700 hours to 2100 hours (Central Standard Time) each day for tariffs other than tariff 110.
3. Off peak period is all times other than peak period.
4. Where prices change during a billing cycle the bill for that billing cycle will be calculated on a pro-rata basis using:
  - (a) the old price up to and including the date of change, and
  - (b) the new price from the date of change to the end of the billing cycle.



## SCHEDULE 2      PRICE PATH SCHEDULE

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### 2.A Price Path Formula

- a. The *standing contract prices* fixed for the *initial regulatory period* are as set out in the Initial Standing Contract Price Schedule.
- b. Relative price movement indexes will be calculated as follow:

$$RPMI_{11} = \frac{\sum_{i=1}^{N_{11}} \left( ms_{i,jul11} mn_{i,mar11} + \sum_{j=1}^{M_{i,11}} mt_{i,j,jul11} mc_{i,j,mar11} \right)}{\sum_{i=1}^{N_{11}} \left( ms_{i,jan11} mn_{i,mar11} + \sum_{j=1}^{M_{i,11}} mt_{i,j,jan11} mc_{i,j,mar11} \right)}$$


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Where:

$N_{11}$  is the number of market contracts included in the calculations for  $RPMI_{11,i}$ :

$ms_{i,jul11}$  is the fixed market contract price components of market contract  $i$  which are to apply on 1 August 2011, each expressed as a daily average;

$ms_{i,jan11}$  is the fixed market contract price component of market contract  $i$  which applied for the 7-month period commencing 1 January 2011;

$mn_{i,mar11}$  is the numbers of days in respect of which each obliged retailer received payments from market contract customers for the fixed market contract price component of market contract  $i$  for the 12-month period ending 31 March 2011;

$M_{i,11}$  is the numbers of variable market contract price components of market contract  $i$  for  $RPMI_{11,i}$ :

$mt_{i,j,jul11}$  is the variable market contract price components  $j$  of market contract  $i$  which are to apply on 1 August 2011;

$mt_{i,j,jan11}$  is the variable market contract price component  $j$  of market contract  $i$  which applied for the 7-month period commencing 1 January 2011; and

$mc_{i,j,mar11}$  is the quantities of energy or demand (as the case may be) charged for under variable market contract price component  $j$  of market contract  $i$  for the 12-month period ending 31 March 2011.

$$RPMI_{12} = \frac{\sum_{i=1}^{N_{12}} \left( ms_{i,jul12} mn_{i,mar12} + \sum_{j=1}^{M_{i,12}} mt_{i,j,jul12} mc_{i,j,mar12} \right)}{\sum_{i=1}^{N_{11}} \left( ms_{i,jul11} mn_{i,mar12} + \sum_{j=1}^{M_{i,12}} mt_{i,j,jul11} mc_{i,j,mar12} \right)}$$


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Where:

$N_{12}$  is the numbers of market contracts included in the calculations for **RPMI<sub>12</sub>**;

$ms_{i,jul12}$  is the fixed market contract price components of market contract  $i$  which are to apply on 1 July 2012, each expressed as a daily average;

$ms_{i,jul11}$  is the fixed market contract price components of market contract  $i$  which applied on 1 August 2011, each expressed as a daily average;

$mn_{i,mar12}$  is the numbers of days in respect of which each obliged retailer received payments from market contract customers for the fixed market contract price component of market contract  $i$  for the 12-month period ending 31 March 2012;

$M_{i,12}$  is the numbers of variable market contract price components of market contract  $i$  for **RPMI<sub>12</sub>**;

$mt_{i,j,jul12}$  is the variable market contract price components  $j$  of market contract  $i$  which are to apply on 1 July 2012;

$mt_{i,j,jul11}$  is the variable market contract price components  $j$  of market contract  $i$  which applied on 1 August 2011;

$mc_{i,j,mar12}$  is the quantities of energy or demand (as the case may be) charged for under variable market contract price component  $j$  of market contract  $i$  for the 12-month period ending 31 March 2012.

$$RPMI_{13} = \frac{\sum_{i=1}^{N_{13}} \left( ms_{i,jul13} mn_{i,mar13} + \sum_{j=1}^{M_{i,13}} mt_{i,j,jul13} mc_{i,j,mar13} \right)}{\sum_{i=1}^{N_{13}} \left( ms_{i,jan13} mn_{i,mar13} + \sum_{j=1}^{M_{i,13}} mt_{i,j,jan13} mc_{i,j,mar13} \right)}$$


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Where:

$N_{13}$  is the numbers of market contracts included in the calculations for  $RPMI_{13}$ ;

$ms_{i,jul13}$  is the fixed market contract price components of market contract  $i$  which are to apply on 1 July 2013, expressed as a daily average;

$ms_{i,jan13}$  is the fixed market contract price component of market contract  $i$  which applied for the 6-month period commencing 1 January 2013;

$mn_{i,mar13}$  is the numbers of days in respect of which each obliged retailer received payments from market contract customers for the fixed market contract price component of market contract  $i$  for the 12-month period ending 31 March 2013;

$M_{i,13}$  is the numbers of variable market contract price components of market contract  $i$  for  $RPMI_{13}$ ;

$mt_{i,j,jul13}$  is the variable market contract price components  $j$  of market contract  $i$  which are to apply on 1 July 2013;

$mt_{i,j,jan13}$  is the variable market contract price component  $j$  of market contract  $i$  which applied for the 6-month period commencing 1 January 2013; and

$mc_{i,j,mar13}$  is the quantities of energy or demand (as the case may be) charged for under variable market contract price component  $j$  of market contract  $i$  for the 12-month period ending 31 March 2013.

- c. For the *regulatory period* commencing 1 August 2011:
- (i) the *fixed standing contract price component* of the *standing contract price* will be determined by multiplying the price adjustment factor  $AF_{2011}$  by the *fixed standing contract price component* of the equivalent *standing contract price* fixed at the Initial Standing Contract Price Schedule; and
  - (ii) each *variable standing contract price component* of the *standing contract price* will be determined by multiplying the price adjustment factor  $AF_{2011}$  by the *variable standing contract price component* of each equivalent component of the equivalent *standing contract price* fixed at the Initial Standing Contract Price Schedule,

Where:

$$AF_{11} = C_{11} \text{ if } RPMI_{11} > C_{11}$$

$$\mathbf{AF}_{11} = \mathbf{F}_{11} \text{ if } \mathbf{RPMI}_{11} < \mathbf{F}_{11}$$

$$\mathbf{AF}_{11} = \mathbf{RPMI}_{11} \text{ otherwise}$$

Where:

$$\mathbf{C}_{11} = \frac{\text{€}76.49 \times \mathbf{CPI}_{11}}{242.02} ;$$

$$\mathbf{F}_{11} = \frac{\text{€}56.25 \times \mathbf{CPI}_{11}}{242.02} ; \text{ and}$$

$\mathbf{CPI}_{11}$  = the Consumer Price Index, All Groups Index Number (weighted average of eight capital cities) published by the Australia Bureau of Statistics for the March Quarter of 2011;

divided by

171.0, being the Consumer Price Index, All Groups Index Number (weighted average of eight capital cities) published by the Australia Bureau of Statistics for the March Quarter of 2010.

$\mathbf{RPMI}_{11}$  is calculated in accordance with clause 2.A(b).

- d. For the *regulatory period* commencing 1 August 2012, *standing contract prices* will vary from those which applied in the previous *regulatory period* in accordance with the following inequality:

$$\frac{ss_{aug12}sn_{mar12} + \sum_{j=1}^M st_{j,aug12}sc_{j,mar12}}{ss1sn_{mar12} + \sum_{j=1}^M st_{j,aug11}sc_{j,mar12}} \leq \mathbf{AF}_{2012}$$

Where:

$$\mathbf{AF}_{12} = \mathbf{C}_{12} \text{ if } \mathbf{RPMI}_{11} \times \mathbf{RPMI}_{12} > \mathbf{C}_{12}$$

$$\mathbf{AF}_{12} = \mathbf{F}_{12} \text{ if } \mathbf{RPMI}_{11} \times \mathbf{RPMI}_{12} < \mathbf{F}_{12}$$

$$\mathbf{AF}_{12} = \mathbf{RPMI}_{11} \times \mathbf{RPMI}_{12} \text{ otherwise}$$

Where:

$$\mathbf{C}_{12} = \frac{319.40 \times \mathbf{CPI}_{12}}{242.02} ;$$

$$\mathbf{F}_{12} = \frac{295.52 \times \mathbf{CPI}_{12}}{242.02} ;$$

**CPI<sub>12</sub>** = the Consumer Price Index, All Groups Index Number (weighted average of eight capital cities) published by the Australia Bureau of Statistics for the March Quarter of 2012;

divided by

171.0, being the Consumer Price Index, All Groups Index Number (weighted average of eight capital cities) published by the Australia Bureau of Statistics for the March Quarter of 2010; and

**RPMI<sub>11</sub>** and **RPMI<sub>12</sub>** are calculated in accordance with clause 2.A(b).

**Ss<sub>aug12</sub>** is the *fixed standing contract price component* of the *standing contract price* which is to apply for the 12-month period commencing 1 August 2012;

**Sn<sub>mar12</sub>** is the number of days in respect of which the *declared retailer* received payments from *standing contract customers* for the *fixed standing contract price component* of the *standing contract price* for the 12-month period ending 31 March 2012;

**st<sub>j,aug12</sub>** is the *variable standing contract price component j* of the *standing contract price* which is to apply for the 12-month period commencing 1 August 2012;

**sc<sub>j,mar12</sub>** is the quantity of energy or demand (as the case may be) charged for under *variable standing contract price component j* of the *standing contract price* for the 12-month period ending 31 March 2012;

**Ss<sub>aug11</sub>** is the *fixed standing contract price component* of the *standing contract price* which applied for the 12-month period commencing 1 August 2011; and

**st<sub>j,aug11</sub>** is the *variable standing contract price component j* of the *standing contract price* which applied for the 12-month period commencing 1 August 2011.

e. For the period 1 January 2013, to 30 June 2013, the *standing contract prices* will be those set under clause 3.3.2.

f. For the regulatory period commencing 1 July 2013:

(i) the *fixed standing contract price component* of the *standing contract price* will be determined by multiplying the price adjustment factor  $AF_{2013}$  by the *fixed standing contract price component* of the equivalent *standing contract price* fixed in the *Initial Standing Contract Price Schedule*; and

(ii) each variable standing contract price component of the standing contract price will be determined by multiplying the price adjustment factor  $AF_{2013}$  by the variable standing contract price component of each equivalent component of the equivalent standing contract price fixed in the Initial Standing Contract Price Schedule,

Where:

$$\underline{AF_{2013} = C_{13} \text{ if } RPMI_{13} > C_{13}}$$

$$\underline{AF_{2013} = F_{13} \text{ if } RPMI_{13} < F_{13}}$$

$$\underline{AF_{2013} = RPMI_{13} \text{ otherwise.}}$$

Where:

$$\underline{C_{13} = \frac{[330.24 + \Delta NR] \times CPI_{13}}{308.08}};$$

$$\underline{F_{13} = \frac{[304.87 + \Delta NR] \times CPI_{13}}{308.08}}; \text{ and}$$

$CPI_{13}$  = the Consumer Price Index, All Groups Index Number (weighted average of eight capital cities) published by the Australian Bureau of Statistics for the March Quarter of 2013;

divided by

179.5, being the Consumer Price Index, All Groups Index Number (weighted average of eight capital cities) published by the Australia Bureau of Statistics for the March Quarter of 2012;

$RPMI_{13}$  is calculated in accordance with clause 2.A(b);

$$\underline{\Delta NR = NR_{13} - NR_{12}}$$

Where

$NR_{13}$  is the 2013/14 average electricity distribution revenue to be recovered by *ETSA Utilities* from network tariffs that are applicable to *standing contract customers*, as approved by the *AER* (expressed in prices of March 2012); and

$NR_{12}$  is the 2012/13 average electricity distribution revenue to be recovered by *ETSA Utilities* from network tariffs that are applicable to *standing contract customers*, as approved by the *AER* (expressed in prices of March 2012).

- g. When a *standing contract price* rebalancing control is breached solely as a result of a change in a *fixed distribution charge* or a *variable distribution*

*charge* arising from the operation of any *Electricity Distribution Determination* there is no requirement for the *declared retailer* to reduce a *fixed retail charge* or a *variable retailer charge* so as to bring the *standing contract price* into conformance with the rebalancing control.