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2013 WATER PRICE REVIEW

WESTERNPORT WATER DETERMINATION

1 JULY 2013 – 30 JUNE 2018

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1. General

1.1 Introduction

- (a) Clause 8 of the **WIRO** requires the Commission to either:
 - (i) approve the prices which a **regulated entity** may charge for **prescribed services** or the manner in which such prices are to be calculated or otherwise determined, as set out in the **regulated entity's Water Plan**; or
 - (ii) specify the prices which a **regulated entity** may charge for **prescribed services** or the manner in which such prices are to be calculated or otherwise determined.
- (b) On 12 June 2013, the Commission made its decision under the **WIRO** in respect of:
 - (i) the prices which Westernport Region Water Corporation (trading as Westernport Water) (ABN 63 759 106 755) (**Westernport Water**) may charge for **prescribed services** during the **regulatory period**; and
 - (ii) the standards and conditions of service and supply which **Westernport Water** has included in its **Water Plan**.
- (c) This Determination is made by the Commission under section 33 of the **ESC Act**, pursuant to clause 8 of the **WIRO**.
- (d) The purpose and reasons for the making of this Determination are to:
 - (i) give effect to the decision of the Commission referred to in clause 1.1(b)(i);
 - (ii) specify the prices which **Westernport Water** may charge for **prescribed services** during the **regulatory period** or the manner in which such prices are to be calculated or otherwise determined;

- (iii) facilitate the achievement of the Commission's objectives in the **ESC Act** and the **WI Act**; and
- (iv) reflect the requirements in the **WIRO**.

1.2 Application

This Determination applies to **Westernport Water** and its successors and assigns in respect of the business carried on by **Westernport Water** at the date of this Determination.

1.3 Effective period

(a) Term

This Determination takes effect on the later of the date on which notice of its making is published in the Government Gazette and 1 July 2013 and, subject to clause 1.3(b), has effect until the earlier of the date on which it is amended or revoked by a later determination or 30 June 2018.

(b) Next regulatory period

Subject to clause 2.3(b)(ii), if the Commission has not made a determination in respect of the prices to apply in the **next regulatory period** on or before 30 June 2018, the prices or the manner in which such prices are to be calculated or otherwise determined as set out in this Determination will continue to apply in respect of **prescribed services** provided by **Westernport Water** between 1 July 2018 and the date on which the determination for the **next regulatory period** comes into effect.

1.4 Modification of time periods

The Commission may, by notice to **Westernport Water**, extend or reduce the time by which, or the period within which, **Westernport Water** or the Commission must comply with an obligation under this Determination.

1.5 Summary and structure

Clause 2 of this Determination specifies the prices which will apply to **prescribed services** during the **regulatory period** and sets out the procedure and formula according to which prices may be adjusted during the **regulatory period** on an annual basis. Clauses 3, 4 and 5 provide for the circumstances in which prices may be adjusted during the **regulatory period** otherwise than in accordance with clause 2.

1.6 Definitions and interpretation

In this Determination, unless the contrary intention appears:

- (a) words and phrases in bold italics have the meanings given to them in part A of Schedule 1; and
- (b) the rules of interpretation in part B of Schedule 1 will apply.

1.7 Annexure

- (a) For convenience, annexure A to this Determination summarises:
 - (i) the assumptions underpinning the prices to apply to ***Westernport Water*** during the ***regulatory period*** or the manner in which such prices are to be calculated or otherwise determined; and
 - (ii) the standards and conditions of services and supply additional to those specified in the ***Code*** which will be provided by ***Westernport Water*** pursuant to the decision referred to in clause 1.1(b)(ii).
- (b) For the avoidance of doubt, annexure A does not form part of this Determination.

2. Price control

2.1 General principles

Subject to this Determination:

(a) **Scheduled prices**

Westernport Water must not charge more than:

- (i) the scheduled prices in Schedule 2, during the first ***regulatory year***, and
- (ii) the amounts determined in accordance with clause 2.3, during each subsequent ***regulatory year***,

in respect of those ***prescribed services*** to which the scheduled prices in Schedule 2 relate.

(b) Application principles

The application principles in Schedule 3 will apply to the prices charged by *Westernport Water* in respect of *prescribed services* during the *regulatory period*.

(c) Pricing principles

During the *regulatory period*, *Westernport Water* must apply the pricing principles in Schedule 4 when determining the prices to apply to the *prescribed services* to which the pricing principles in Schedule 4 relate.

2.2 Ancillary matters

(a) Contracts

Where *Westernport Water* has entered into a contract (a *relevant contract*) which relates to the provision of *prescribed services* prior to 1 July 2013, *Westernport Water* may charge the prices for *prescribed services* which are set out in that *relevant contract* until its expiration, termination or a periodic review of the prices set out in the contract. Once a *relevant contract* has expired or been terminated or the prices in a *relevant contract* have been subject to a periodic review, the scheduled prices in Schedule 2 (as adjusted in accordance with this Determination) or the prices determined in accordance with the pricing principles in Schedule 4 will apply for the remainder of the *regulatory period*.

(b) Dispute Resolution

Any question as to whether a price has been set in accordance with this Determination will be determined by the Commission on the basis of the Commission's interpretation of this Determination.

(c) Publication

Westernport Water must publish a schedule of its current prices and pricing principles for *prescribed services*, and all relevant supporting information that is relied upon to apply the prices or pricing principles, on its website at all times during the *regulatory period* and must provide a written copy of the schedule to its customers on request. The schedule must clearly indicate in respect of each price, the amount determined in accordance with this Determination, the amount of GST payable and the total price

(in a manner consistent with the requirements of the *Competition and Consumer Act 2010* (Cth)).

(d) GST

Westernport Water will not be considered to be in contravention of this Determination if a price charged by it for a **prescribed service** exceeds the amount determined in accordance with clause 2 only by reason of the levying of a charge on account of **GST**.

2.3 Annual adjustment of prices

(a) Adjustment

(i) Subject to Schedule 2, the scheduled prices in Schedule 2 will be adjusted in each subsequent **regulatory year** in the **regulatory period** in accordance with the formula in clause 2.3(b)(i) and the procedure in clause 2.3(c), and will apply to the **prescribed services** to which the scheduled prices in Schedule 2 relate in that **regulatory year**.

(b) Formula

(i) Subject to Schedule 2, each price for the **prescribed services** referred to in clause 2.3(a) will be adjusted in accordance with the following formula with effect from the beginning of each subsequent **regulatory year** in the **regulatory period**:

$$P_t = P_{t-1} * CPI_t * (1 + PPM_t)$$

where:

P_t is the price component for **regulatory year t**

P_{t-1} is the price component for **regulatory year t-1**

CPI_t for the particular **regulatory year** is:

the Consumer Price Index: All Groups Index for the Eight Capital Cities as published by the Australian Bureau of Statistics for the March quarter immediately preceding the start of the relevant **regulatory year**

divided by

the Consumer Price Index: All Groups Index for the Eight Capital Cities as published by the

Australian Bureau of Statistics for the March quarter immediately preceding the March quarter referred to above

PPM_t is the prescribed price movement for the price component for **regulatory year** t determined in accordance with Schedule 2.

- (ii) If the Commission has not made a determination in respect of the prices to apply in the **next regulatory period** on or before 30 June 2018, PPM_t will be set equal to zero for the purpose of adjusting prices in accordance with the formula in clause 2.3(b)(i) for **regulatory years** commencing on or after 1 July 2018 until the date on which this determination is amended or revoked by a later determination.

(c) Adjustment procedure

- (i) At least 30 **business days** prior to the commencement of each subsequent **regulatory year** in the **regulatory period**, **Westernport Water** must submit its proposed prices for the **prescribed services** referred to in clause 2.3(a) to apply in that subsequent **regulatory year** (the **revised prices**) to the Commission for approval, together with sufficient information to enable the Commission to assess whether the proposed prices comply with this Determination.
- (ii) The Commission will approve the **revised prices** if it considers that they have been calculated in accordance with the formula set out in clause 2.3(b)(i).
- (iii) The Commission will be deemed to have approved the **revised prices** if it has not provided notice under clause 2.3(c)(iv) to **Westernport Water** within 20 **business days** from the date of its receipt of the **revised prices**.
- (iv) If the Commission does not approve the **revised prices**, the Commission:
 - (A) will provide notice to **Westernport Water** (including a statement of its reasons);

- (B) may request **Westernport Water** to provide any additional information specified by the Commission;
- (C) will take any additional information provided by **Westernport Water** into account; and
- (D) will determine the **revised prices**.

2.4 Price changes during a billing period

(a) Application of this clause

This clause 2.4 applies where **Westernport Water** issues an invoice in respect of a billing period during which a change to any price for a **prescribed service** comes into effect in accordance with this Determination.

(b) Method of charging

Westernport Water must not charge the prices determined in accordance with this Determination in respect of any part of a billing period prior to the effective date of the change, but may charge for **prescribed services** in respect of the periods before and after the effective date of the change at the prices applicable for each of those periods on a pro-rata basis.

2.5 Reporting requirements

- (a) **Westernport Water** must make available to the Commission all information reasonably requested by the Commission from time to time for the purpose of enabling it to confirm that **Westernport Water** is complying with this Determination.
- (b) Without limiting clause 2.5(a), if, during the **regulatory period**, **Westernport Water** enters into a **new contract** which relates to the provision of a **prescribed service** to which the pricing principles in Schedule 4 relate, **Westernport Water** must, within 30 **business days** of the date of the **new contract**, on request provide the Commission with a notice specifying:
 - (i) details of the **new contract**; and
 - (ii) information which demonstrates the way in which the prices in the **new contract** reflect the relevant pricing principles.

- (c) Without limiting clause 2.5(a), if **Westernport Water** proposes to stop providing a **prescribed service** or refuses to provide a **prescribed service** to a customer, or potential customer, during the **regulatory period**, it must:
- (i) in the case of a proposal to stop providing a **prescribed service**, provide a notice to the Commission stating the nature of the **prescribed service** which it proposes to stop providing and the reason why it proposes to stop providing the **prescribed service**. This notice must be provided at least 30 **business days** prior to the date upon which **Westernport Water** proposes to stop providing the **prescribed service**; and
 - (ii) in the case of a refusal to provide a **prescribed service** to a customer, or potential customer, **Westernport Water** must provide a notice to the Commission within 5 **business days** of the refusal, stating the nature of the **prescribed service** and the reason for the refusal.

3. Amendment of Schedule 2

- (a) **Amendment**
- (i) **Westernport Water** may apply to the Commission in accordance with this clause 3 for the amendment of the prescribed price movements and/or price components included in Schedule 2 for the following **regulatory year** (the **relevant regulatory year**) and all subsequent **regulatory years** remaining in the **regulatory period** (the **revised tariff schedule**).
 - (ii) The average price movement for the **relevant regulatory year** and for each subsequent **regulatory year** in the **regulatory period** determined in accordance with the **revised tariff schedule** must not exceed the average price movement that would otherwise have applied under this Determination as calculated in accordance with the following formula.

$$\frac{\sum_{i=1}^n \sum_{j=1}^m p_t^{ij} q_{t-2}^{ij}}{\sum_{i=1}^n \sum_{j=1}^m p_{t-1}^{ij} q_{t-2}^{ij}} \geq \frac{\sum_{i=1}^n \sum_{j=1}^m ap_t^{ij} q_{t-2}^{ij}}{\sum_{i=1}^n \sum_{j=1}^m p_{t-1}^{ij} q_{t-2}^{ij}}, i = 1, \dots, n; j = 1 \dots m$$

where **Westernport Water** has n tariff categories, which each have up to m tariff components, and where, for each **regulatory year** t for which the calculation is undertaken:

p_{t-1}^{ij} is the tariff charged in **regulatory year** $t-1$ for component j of tariff i

p_t^{ij} is the proposed tariff for component j of tariff i determined in accordance with Schedule 2 where the **revised tariff schedule** is not applied

ap_t^{ij} is the proposed tariff for component j of tariff i determined in accordance with Schedule 2 where the **revised tariff schedule** is applied

q_{t-2}^{ij} is the quantity of component j of tariff i that was sold in **regulatory year** $t-2$, or, if an actual quantity is not available, either an estimate of the quantity of component j of tariff i that would have been sold in **regulatory year** $t-2$ or a forecast of the quantity of component j of tariff i that is expected to be sold in **regulatory year** $t-2$

(b) Amendment procedure

(i) An application by **Westernport Water** under this clause 3 must be received by the Commission at least 80 **business days** prior to the commencement of the **relevant regulatory year** and must be accompanied by the following information:

(A) (1) a clearly articulated new tariff strategy that is consistent with the regulatory

principles in clause 14(i)(a) of the **WIRO** (the **revised tariff strategy**); or

- (2) an explanation of how the **revised tariff schedule** is consistent with the tariff strategy for **Westernport Water** approved by the Commission in connection with this Determination,

(**the relevant tariff strategy**);

- (B) a **revised tariff schedule** that specifies proposed prices for the **relevant regulatory year** and prescribed price movements for each subsequent **regulatory year** in the **regulatory period** that is consistent with the **relevant tariff strategy**;
- (C) a statement setting out evidence demonstrating that **Westernport Water** has provided information to its customers explaining the **revised tariff schedule** and how it relates to the **relevant tariff strategy** and has consulted effectively with its customers on the **revised tariff strategy** (if clause 3(b)(i)(A)(1) applies) and the **revised tariff schedule**;
- (D) a statement setting out the customer impacts resulting from the **revised tariff schedule** and actions proposed by **Westernport Water** to address these customer impacts; and
- (E) an explanation of the calculation of the relevant quantities “ q_{t-2}^{ij} ”.
- (ii) The Commission may approve the **revised tariff schedule** submitted by **Westernport Water** under this clause 3 if it is satisfied that:
- (A) **Westernport Water** has complied with clause 3(b)(i)(A);
- (B) the price movements calculated in accordance with the **revised tariff schedule** comply with clause 3(a)(ii);

- (C) the **revised tariff schedule** is consistent with the **relevant tariff strategy**;
 - (D) **Westernport Water** has consulted effectively with its customers on the **revised tariff strategy** (if clause 3(b)(i)(A)(1) applies) and the **revised tariff schedule**;
 - (E) **Westernport Water** has effectively addressed customer impacts resulting from the **revised tariff schedule**; and
 - (F) the basis for calculating the relevant quantities “ q_{t-2}^{ij} ” is reasonable.
- (iii) In determining whether it will approve the **revised tariff schedule**, the Commission may request **Westernport Water** to provide any additional information specified by the Commission and/or to resubmit any of the matters in clause 3(b)(i)(A)-(E).
 - (iv) The Commission will be deemed to have not approved a **revised tariff schedule** if it has not provided notice to **Westernport Water** within 40 **business days** from the date of its receipt of **Westernport Water’s** application under this clause 3.

4. Uncertain or unforeseen events

4.1 General principle

- (a) **Westernport Water** may apply to the Commission for the amendment of this Determination and/or the adjustment of the scheduled prices in Schedule 2 to reflect increased or decreased costs incurred by **Westernport Water** and/or increased or decreased revenue received by **Westernport Water** as a result of events which were uncertain or unforeseen at the time this Determination was made (an **uncertain events application**).
- (b) Whether or not **Westernport Water** makes an application under clause 4.1(a), **Westernport Water** must promptly notify the Commission upon becoming aware of an event which could form part or all of the basis of an application.
- (c) The Commission may take action under clause 4.3(b) in respect of an **uncertain events application** where the Commission is satisfied that such action is necessary or desirable to take account of events that were uncertain or unforeseen at the time of making this Determination provided that the Commission is satisfied that such action takes into account the interests of customers. Generally the matters taken into account will include positive and negative influences on revenue and expenditure. The Commission may limit an adjustment to only some events or a single event.

4.2 Consideration by the Commission

(a) Examples of uncertain and unforeseen events

The matters that may, at the discretion of the Commission, be taken into account by the Commission under this clause 4 include:

- (i) actual licence fees or contributions payable by **Westernport Water** during a particular **regulatory year** during the **regulatory period** under section 51 of the *Safe Drinking Water Act 2003* (Vic), section 24 of the *Environment Protection Act 1970* (Vic) and section 4H(2) of the **WI Act** which differ from the forecast licence fees or contributions set out in annexure A for that **regulatory year**,

- (ii) changes in the timing or scope of expenditure by **Westernport Water** on major capital projects;
- (iii) instances where the Commission is satisfied that there is a material difference between the forecast demand levels set out in annexure A and actual demand levels for **Westernport Water** in one or more **regulatory years** during the **regulatory period**;
- (iv) amounts payable by **Westernport Water** for purchases of bulk water during a particular **regulatory year** during the **regulatory period** which differ from the forecast bulk water payments set out in annexure A for that **regulatory year**, and
- (v) a change in or to any of the following:
 - (A) the **WI Act**, the *Water Act 1989* (Vic), the *Safe Drinking Water Act 2003* (Vic), the *State Owned Enterprises Act 1992* (Vic) and the *Environment Protection Act 1970* (Vic);
 - (B) any licence issued pursuant to any of the Acts referred to in clause 4.2(a)(v)(A);
 - (C) a **relevant tax**; or
 - (D) the Statement of Obligations,
 - or the introduction or cessation of a statutory carbon price or tax or a national emissions trading scheme or other scheme relating to the reduction of greenhouse gas emissions.

(b) Exclusions

In considering an **uncertain events application**, the Commission will not take into account matters that:

- (i) are or should be within **Westernport Water's** control;
- (ii) were or should have been known by **Westernport Water** at the time the Determination was made;
- (iii) could reasonably have been foreseen by **Westernport Water**;
- (iv) should be or should have been planned for or managed by **Westernport Water**, and/or

(v) reflect inefficient expenditure by **Westernport Water**.

(c) Dispute resolution

Any question as to whether a matter should be taken into account by the Commission under this clause 4 will be determined by the Commission in its absolute discretion.

4.3 Procedure

(a) Application process

- (i) An **uncertain events application** must be accompanied by a statement setting out:
 - (A) the details of each relevant uncertain or unforeseen event;
 - (B) the amount and timing of any increase or decrease in operating and/or capital expenditure associated with the relevant event during the **regulatory period** and/or the amount and timing of any increase or decrease in revenue associated with the relevant event during the **regulatory period**;
 - (C) the basis for calculating the increase or decrease in operating and/or capital expenditure and/or revenue referred to in clause 4.3(a)(i)(B); and
 - (D) details of the proposed action to be taken by the Commission under clause 4.3(b).
- (ii) The Commission may identify an event or events which it considers has had or may have a material impact on **Westernport Water's** operating and/or capital expenditure and/or revenue and may decide to take action under clause 4.3(b) in the absence of an **uncertain events application** by **Westernport Water**.
- (iii) The Commission may request **Westernport Water** to provide any additional information specified by the Commission in connection with an **uncertain events application**.

(b) Action by the Commission

If the Commission is satisfied of the matters set out in clause 4.1(c) in respect of an **uncertain events application** or an event

identified by the Commission under clause 4.3(a)(ii), the Commission may, in its absolute discretion:

- (i) amend this Determination or adjust the scheduled prices in Schedule 2 and/or the revenue requirements in Schedule 4 with effect from a date and in a manner decided by the Commission (in respect of one or more events) at a time decided by the Commission; or
- (ii) take the ***uncertain events application*** into account in making its determination in respect of the prices which ***Westernport Water*** may charge for ***prescribed services*** in the ***next regulatory period***.

5. Other adjustments during regulatory period

Where the Commission is satisfied that:

- (a) there is a manifest and material error in this Determination;
- (b) any information on which this Determination was based was false or misleading in a material respect; or
- (c) such amendment or adjustment is necessary or desirable to avoid an unintended consequence of this Determination,

the Commission may decide to amend this Determination and/or specify a price adjustment, provided that it is satisfied that such amendment and/or price adjustment takes into account the interests of customers.

Schedule 1

Definitions and Interpretation

A. Definitions

business day means a day on which banks are open for general banking business in Melbourne, not being a Saturday or a Sunday.

Code means the applicable *Customer Service Code* made under the **WI Act**.

ESC Act means the *Essential Services Commission Act 2001* (Vic).

GST has the meaning given in section 195-1 of the *A New Tax System (Goods and Services) Tax Act 1999* (Cth).

miscellaneous services means services that are provided in direct connection with **prescribed services**, prices in respect of which are either included in Schedule 2 or determined in accordance with the relevant pricing principles in Schedule 4.

new contract means any contract for **prescribed services** which is renewed, renegotiated or entered into during the **regulatory period**.

next regulatory period means the period commencing on 1 July 2018 and ending on a date specified by the Commission.

prescribed services has the meaning given in the **WIRO** and includes **miscellaneous services**.

regulated entity has the meaning given in the **WIRO**.

regulatory period means the period commencing on 1 July 2013 and ending on 30 June 2018.

regulatory year means each period of twelve months commencing on 1 July and ending on 30 June.

relevant contract means a contract which relates to the provision of **prescribed services**.

relevant tax means any tax imposed by or payable directly or indirectly to any government or public authority in the Commonwealth of Australia (including **GST**) but excluding:

- (a) the licence fees referred to in clause 4.2 of this Determination;
- (b) penalties and interest for late payment of any tax; or
- (c) any tax that replaces any of the taxes referred to in (a) and (b), where tax includes any rate, duty, charge or other like or analogous impost.

Water Plan has the meaning given in the **WIRO**.

WI Act means the *Water Industry Act 1994* (Vic).

WIRO means the Water Industry Regulatory Order 2012 as at the date of this Determination.

B. Interpretation

Headings are for convenience only and do not affect interpretation. The following rules apply unless the context requires otherwise.

- (a) The singular includes the plural, and the converse also applies.
- (b) If a word or phrase is defined, its other grammatical forms have a corresponding meaning.
- (c) A reference to a person includes a corporation, trust, partnership, unincorporated body or other entity, whether or not it comprises a separate legal entity.
- (d) A reference to a clause or schedule is a reference to a clause of or schedule to, this document.
- (e) A reference to a determination, agreement or document (including a reference to this document) is to the agreement or document as amended, supplemented, novated or replaced, except to the extent prohibited by this document or that other agreement or document.
- (f) A reference to an Act, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them.
- (g) If a period of time is specified and commences on a given day or on a day of an act or event, the period of time is to be calculated inclusive of that day.
- (h) Any “notice” to be given or matter to be “notified” must be in writing.

- (i) The symbol ' Σ ' requires a summation to be performed over the range of variables specified in respect of the algebraic terms specified.
- (j) All data which is utilised in calculations made under this Determination will be utilised to the accuracy, in terms of the number of decimal places, to which it is given.
- (k) A fixed price, charge or fee determined in accordance with this Determination is to be rounded down and specified to two decimal places.
- (l) A volumetric price, charge or fee determined in accordance with this Determination is to be rounded down and specified to four decimal places.
- (m) When a calculation is required under this document:
 - (i) **regulatory year 't'** is the **regulatory year** in respect of which the calculation is being made;
 - (ii) **regulatory year 't-1'** is the **regulatory year** immediately preceding **regulatory year 't'**;
 - (iii) **regulatory year 't-2'** is the **regulatory year** immediately preceding **regulatory year 't-1'**.

Schedule 2

Prices

This schedule should be read in conjunction with Schedule 3 and Schedule 4.

<i>Tariff and Price Component</i>	<i>Price (1 July 2013)</i>	<i>PPM Year 2</i>	<i>PPM Year 3</i>	<i>PPM Year 4</i>	<i>PPM Year 5</i>
1.1 Water Fixed Service Charge (per annum)					
Residential Water Access Charge	360.20	0.0%	0.0%	0.0%	0.0%
Residential Connected Vacant Land Water Access Charge	360.20	0.0%	0.0%	0.0%	0.0%
Unconnected Vacant Land Water Access Charge	180.10	0.0%	0.0%	0.0%	0.0%
Non-Residential-20mm	360.20	0.0%	0.0%	0.0%	0.0%
Non-Residential-25mm	648.36	0.0%	0.0%	0.0%	0.0%
Non-Residential-32mm	1224.98	0.0%	0.0%	0.0%	0.0%
Non-Residential-40mm	2233.64	0.0%	0.0%	0.0%	0.0%
Non-Residential-50mm	3998.98	0.0%	0.0%	0.0%	0.0%
Non-Residential-65mm	7961.96	0.0%	0.0%	0.0%	0.0%
Non-Residential-80mm	13798.42	0.0%	0.0%	0.0%	0.0%
Non-Residential-100mm	24822.81	0.0%	0.0%	0.0%	0.0%
Non-Residential-150mm	57211.80	0.0%	0.0%	0.0%	0.0%
1.2 Water Usage Charge (per kL)					
Variable Charge	1.8510	0.0%	0.0%	0.0%	0.0%
1.3 Sewerage Fixed Charge (per annum)					
Residential Sewer Access Charge	555.31	0.0%	0.0%	0.0%	0.0%
Unconnected Vacant Land Sewer Access Charge	278.15	0.0%	0.0%	0.0%	0.0%
Non-residential Sewer Access Charge	555.31	0.0%	0.0%	0.0%	0.0%
Non-residential Sewer Access Charge (> 2 cisterns) (per cistern)	205.11	0.0%	0.0%	0.0%	0.0%
1.4 Reticulated Recycled Water (Class A)					
Recycled Water Access Charge (per annum)	25.01	0.0%	0.0%	0.0%	0.0%
Residential Recycled Water Usage Charge (per kL)	1.0005	0.0%	0.0%	0.0%	0.0%
Commercial Recycled Water Usage up to 5ML (per kL)	0.4868	0.0%	0.0%	0.0%	0.0%
Commercial Recycled Water Usage 5ML+ (per kL)	0.4002	0.0%	0.0%	0.0%	0.0%

1.5 Customer Contribution (per lot)

Water (per lot)	2145.37	0.0%	0.0%	0.0%	0.0%
Sewer (per lot)	475.61	0.0%	0.0%	0.0%	0.0%

1.6 Miscellaneous Fees and charges

Information statement - standard	47.45	0.0%	0.0%	0.0%	0.0%
Information statement - priority	94.91	0.0%	0.0%	0.0%	0.0%
Special meter read	54.17	0.0%	0.0%	0.0%	0.0%
Removal of Restriction Fee (per removal)	59.14	0.0%	0.0%	0.0%	0.0%
Build Over permit application (per application)	105.42	0.0%	0.0%	0.0%	0.0%
Pressure flow information statement (per test)	162.72	0.0%	0.0%	0.0%	0.0%
Testing water meters (per test) smaller than 32 mm	75.13	0.0%	0.0%	0.0%	0.0%
Water Disconnection / Plug Up Fees 20mm to 50mm	107.37	0.0%	0.0%	0.0%	0.0%

Water Connection Fees

Standard 20mm Dry Tapping	246.97	0.0%	0.0%	0.0%	0.0%
Standard 20mm Wet Tapping	311.40	0.0%	0.0%	0.0%	0.0%
25mm - fittings supplied by Westernport Water	451.06	0.0%	0.0%	0.0%	0.0%
32mm - fittings supplied by Westernport Water	1020.36	0.0%	0.0%	0.0%	0.0%
40mm - fittings supplied by Westernport Water	1342.68	0.0%	0.0%	0.0%	0.0%
50mm (plus cost of fittings)	2148.45	0.0%	0.0%	0.0%	0.0%
80mm (plus cost of fittings)	2792.98	0.0%	0.0%	0.0%	0.0%
100mm (plus cost of fittings)	3598.65	0.0%	0.0%	0.0%	0.0%
150mm (plus cost of fittings)	3867.21	0.0%	0.0%	0.0%	0.0%
250mm (plus cost of fittings)	5886.35	0.0%	0.0%	0.0%	0.0%

Wastewater Connection

Standard residential (including plan and as constructed)	171.79	0.0%	0.0%	0.0%	0.0%
Standard commercial (including plan and as constructed)	225.40	0.0%	0.0%	0.0%	0.0%
Standard residential (connection fee only)	107.42	0.0%	0.0%	0.0%	0.0%
Standard commercial (connection fee only - per connection)	161.03	0.0%	0.0%	0.0%	0.0%
Residential Other - (connection fee only - per connection)	161.03	0.0%	0.0%	0.0%	0.0%
Industrial/commercial other - (initial connection fee only)	322.21	0.0%	0.0%	0.0%	0.0%
Plan of sewer connection (per A4 page)	32.18	0.0%	0.0%	0.0%	0.0%
As constructed drawing (per A4 page)	32.18	0.0%	0.0%	0.0%	0.0%

Private Fire Service

Information fee	214.79	0.0%	0.0%	0.0%	0.0%
Annual fee for inspection (per annum)	53.66	0.0%	0.0%	0.0%	0.0%
Sealing fire hose tap (per seal)	53.66	0.0%	0.0%	0.0%	0.0%
plus charge for each additional tap	5.27	0.0%	0.0%	0.0%	0.0%
Resealing fire hose taps (per reseal)	214.79	0.0%	0.0%	0.0%	0.0%
plus charge for each additional tap	5.27	0.0%	0.0%	0.0%	0.0%

1.7 Non-Core Miscellaneous Services

Replacement of galvanised iron property service pipe	Actual cost
Testing water meter 32 mm or larger	Actual cost
Water Quality Test (per test)	Actual cost
Water disconnection / plug up fee larger than 50 mm	Actual cost
Dishonoured payment fee	Actual cost
Cutting in to sewer fee	Actual cost

Schedule 3

Application of prices

3.1 Miscellaneous fees and charges

The following table sets out the definitions of the miscellaneous charges contained in Schedule 2.

Miscellaneous service	Definition
Standard 20mm dry tapping	The cost includes the provision of the meter and stop tap to be installed by the plumber, the administration of setting up the account for the new meter, inspection of the meter to ensure it accords with the standards and all future maintenance of the meter.
Standard 20mm wet tapping	The cost includes the provision of the meter, tapping band, ball valve, elbow and stop tap to be installed by the plumber, the actual tapping of the water main by WPW personnel, the administration of setting up the account for the new meter, inspection of the meter to ensure it accords with the standards and all future maintenance of the meter.
25mm - fittings supplied by Westernport Water	The cost includes the provision of the meter, tapping band, ball valve, elbow and stop tap to be installed by the plumber, the actual tapping of the water main by WPW personnel where WPW have the appropriate equipment, contractor's costs for larger sizes, the administration of setting up the account for the new meter, inspection of the meter to ensure it accords with the standards and all future maintenance of the meter. The cost of fittings is to cover the actual cost of the fittings required for the different sized water mains throughout the reticulation system.
Water disconnection/plug up fees - 20mm to 50mm	To inspect the removal of all fittings and to ensure the tapping is completely sealed so no water leaks from the disused tapping.
Water disconnection/plug up fees - larger than 50mm	The actual cost is to cover the actual cost of the fittings (blank ends or repair clamps) required for the different sized water mains throughout the reticulation system.
Plan of sewer connection per A4 page	This fee is for the production of a plan that shows the location of the point of connection for our wastewater system. It provides the depth, chainage and off set data required for connection.

Consent to connect - standard residential	This fee covers the processing of an application and payment for connection to our wastewater system for a standard house connection. It also includes lodging the application with the Plumbing Industry Commission (PIC) and the updating and maintenance of customer details held within corporate systems such as billing and document management.
Consent to connect - residential other	As per above and also includes the assessment of the building plans by our Assets department to determine any requirements for additional sewer connection points to our system or the adequacy of any proposed private wastewater system within a larger/multi-unit development.
Consent to connect - industrial/commercial	This fee covers the processing of an application and payment for connection to our wastewater system for a standard commercial connection and also includes the assessment of the building plans by our Assets department to determine any requirements for additional sewer connection points to our system.
Consent to connect - industrial/commercial other	This fee covers the processing of an application and payment for connection to our wastewater system for a non-standard commercial connection and also includes the assessment of the building plans by our Assets department to determine any requirements for additional sewer connection points to our system.
As constructed drawing per A4 page	This is an administration fee to cover the entry and maintenance of data (supplied by the plumber post connection to our wastewater system) in our corporate systems including asset management, GIS and document management.
Assessment of application (per assessment)	This fee is for the time and administration in assessing an application for backflow prevention on a water service in a commercial or industrial application according to the AS3500 Plumbers Code.
Annual agreement renewal fee (per annum)	This is the annual fee for testable backflow devices to ensure that the owners have had the backflow prevention device tested as per AS3500 Plumbers Code. This fee is to cover receipt and recording of test certificate and reminder letters to owners to have the device tested.
Information fee	This fee is for additional information required for the installation of a private fire service as required by the CFA for commercial or industrial developments. This fee would cover expert staff advice on the installation of the fire service and any additional advice to gain acceptance by the CFA for the fire service.
Annual inspection fee	This is the annual inspection fee to inspect private fire services to ensure they have not been used for private use. Fire services are sealed by plastic or wire and lead seals to ensure fire hoses or reels are not used for internal water supply as this service is generally not metered.
Sealing fire house tap (per seal)	Initial fee for inspection and sealing of a fire service once the service is installed on new installations.

Resealing fire hose tap	This fee is to have a new inspection and to reseal the fire service if it is discovered that illegal water use has occurred with the fire service.
Per additional tap fee	This is to seal additional taps or outlets while initially sealing or resealing the fire service. First tap or outlet is included in sealing and resealing fee but may be multiple outlets on major installations. Cost is to cover the time and seals used.
Water quality	This fee is charged when a customer requests testing of their <u>non mains water supply</u> . It involves the taking of the sample from the customer's supply (by WPW personnel) and couriering of the sample to a NATA accredited laboratory in Melbourne for testing and subsequent reporting back to the customer.
Water meters smaller than 32mm	This fee is charged upon a customer request for pressure and/or calibration testing of the meter at the customer's premises. A staff member attends the premises, conducts the test, prepares a report for the customer and records the results on the customer's file within our document management system.
Water meters larger than 32mm	This fee is charged upon a customer request for pressure and/or calibration testing of the meter at the customer's premises. A staff member attends the premises, conducts the test, prepares a report for the customer and records the results on the customer's file within our document management system.
Information statement - standard (each)	<p>This fee is charged for the processing and production of the information statement.</p> <p>The Statement contains details of:-</p> <ul style="list-style-type: none"> • Charges affecting the property annually and per period eg. <ul style="list-style-type: none"> o Melbourne Water o Sewer o Water fixed and usage o Recycled Water fixed and usage o Trade Waste fixed and usage • Fees attached for legal action or restriction • Schemes • Connected meters and the date the meter was last read • Any relevant information in relation to the property (eg. Prime file, recycled water zone) <p>A copy of asset locations is attached to the information statement. This application has a 5 day limit on processing and returning to customer.</p>
Information statement - priority (each)	A priority Information Statement is produced as per the standard Information Statement as above but has a guaranteed 24 hour turn-around time.

Pressure flow statement - per test (each)	This is to provide written pressure and flow information on the water supply system so consultants can design the water supply or fire services to developments. The test may be completed on site by using testing equipment or provided from calibrated computer models of the water supply system. This cost is to cover time and set up of equipment or calibration and upgrades to the computer model.
Account and usage history (in excess of 3 years)	This is to provide an account statement for the customer (and to process payment) for the account summary for the period required by the customer. It is produced from our billing system and includes data such as brought forward balance by billing period, the current charges for that billing period (broken down by charge type), any additional charges for example interest or restrictor removal fees and the total outstanding per period and a total for the period required.
Special meter reading (per reading)	This fee is for the processing of the special meter reading application. A meter reader attends the property and takes the read which is entered into the billing system. An administration officer calculates the read and produces a special meter reading document. The special meter reading document contains any outstanding balances, current balance, totals and details of the reading.
Restrictor removal (each)	The restrictor removal fee is charged when a restrictor is fitted to the property following non-payment of a debt (and in accordance with the requirement of the ESC Customer Service Code). We charge the fee to cover the cost of a staff member attending the property to remove the restrictor from the meter. This involves earthing the pipes either side of the meter, detaching the meter from the tapping pipe, removing the restrictor and reattaching the meter to the tapping pipe. The flow is then checked to ensure that it is operating correctly. We attach a flow tester to a garden tap and measure how much water is coming through the pipe per minute to ensure the flow has been restored.
Galvanised iron property service pipe replacement	Old services from water main to meter where the material used was galvanised iron are to be replaced with longer lasting material. The galvanised iron was a cheaper and shorter lasting alternative for owners when owners provided the maintenance for the main to meter. As Westernport Water now provides for all future maintenance for this main to meter a contribution from the owner for the substandard pipework is required.
Build over permit (per application)	This fee is for the administration of providing an agreement to be signed by the owner and to provide information and inspection on the building that is to be built over or close to the Corporation's assets.

Dishonoured payment charge	This is a fee that is passed onto the customer when we are charged by our bank or Australia Post for a dishonoured payment from a customer. Only the amount that has been charged by our bank or Australia Post is recovered from the customer.
Cutting in to sewer fee	This is to provide a new connection point to a sewer main where no sewer point was constructed when the original sewer was laid. This would be due to newly subdivided land or to new developments requiring a larger connection point than standard.
Works agreement - engineering, administration, supervision	The works agreements are for larger developments usually subdivisions where consultants provide the design for the services to the new lots and these services or assets are gifted to the Corporation. The fees cover the cost of providing the as constructed information of location, invert levels, diameters, depths and grades of the existing services and the engineering advice on the design. The checking of the plans to ensure they comply with Australians Standards, Water Services Association of Australia (WSAA) and local standards. The cost of administration for providing an agreement and cost estimates for the development. Supervision of the construction of the services to ensure safety and compliance with the standards and plans. Checking of the as constructed information of the service including loading this information into the GIS and mapping base.

Schedule 4

Pricing principles

4.1 Recycled water pricing principles

Recycled water prices should be set so as to:

- have regard to the price of any substitutes and customers' willingness to pay;
- cover the full cost of providing the service (with the exception of services related to specified obligations or maintaining balance of supply and demand); and
- include a variable component.

Where **Westernport Water** does not propose to fully recover the costs associated with recycled water, it must demonstrate to the Commission that:

- it has assessed the costs and benefits of pursuing the recycled water project;
- it has clearly identified the basis on which any revenue shortfall is to be recovered; and
- if the revenue shortfall is to be recovered from non-recycled water customers, either the project is required under the Statement of Obligations which applies to **Westernport Water** or pursuant to other Government policies that apply to **Westernport Water** or there has been consultation with the affected customers about their willingness to pay for the benefits of increased recycling.

4.2 Pricing principles where scheduled prices do not apply

Where the prices set out in Schedule 2 do not apply because the nature of the service provided to a particular customer (including, in the case of trade waste customers, the volume or load of waste treated) is unique, prices must be set as follows:

- variable prices (including, in the case of trade waste customers, load-based charges) should reflect the long run marginal cost (LRMC) of providing services (including, in the case of trade waste customers, trade waste transfer, treatment and disposal);
- the total revenue received from each customer should be greater than the cost that would be avoided from ceasing to serve that customer, and (subject to meeting avoidable cost) less than the stand alone cost of providing the service to the customer in the most efficient manner;
- the methodology used to allocate common and fixed costs to that customer should be clearly articulated and be consistent with any guidance provided by the Commission;
- prices should reflect reasonable assumptions regarding the customer's demand for services (including, in the case of trade waste customers, the volume and strength of trade waste anticipated to be produced by that customer);
- depreciation rates and rates of return used to determine prices should be consistent with those adopted by the Commission for the purposes of making this Determination;

- customers should be provided with full details of the manner in which prices have been calculated and any new, renewed or renegotiated contractual agreements with customers should indicate that the prices to apply are subject to any Determination made by the Commission;
- where applying these principles results in significant changes to prices or tariff structures, arrangements for phasing in the changes may be considered and any transitional arrangements should be clearly articulated.

4.3 Pricing principles for new customer contributions (NCC)

Core pricing principles

NCC, including standard or negotiated NCC, will be calculated by applying the following core NCC pricing principles.

Standard and negotiated NCC will:

- have regard to the incremental infrastructure and associated costs in one or more of the statutory cost categories attributable to a given connection;
- have regard to the incremental future revenues that will be earned from customers at that connection;
- be greater than the avoidable cost of that connection and less than the standalone cost of that connection.

Notes:

1. Given that NCC are to be based on the net incremental cost of connection (ie incremental costs net of incremental benefits), in this context, the costs referred to in the efficient pricing bound are the net costs, specifically the avoidable net cost of connection and standalone net cost of connection.
2. Where the connection arrangement requires assets to be gifted, the value of gifted assets will be excluded for the purpose of calculating net costs.
3. Incremental costs may include financing costs associated with constructing an asset sooner than planned.

Incremental financing costs

Incremental financing costs (IFC) should be calculated using this formula:

IFC = $(1 - [1 / (1+r)^n])$ x cost of capital being provided sooner than planned

where:

r = estimated pre-tax WACC

n = the number of years the asset is required sooner than planned.

Gifted Assets

Westernport Water can require developers to provide and gift to **Westernport Water** specified assets as a condition of connection, provided that **Westernport Water**:

- makes clear to potential developers which assets a developer will be responsible for providing and gifting, and which will be provided by **Westernport Water**;
- confirms that negotiation of any non-standard connection and associated charges will be undertaken in accordance with **Westernport Water's** [published] negotiating framework; and
- the value of gifted assets will be excluded for the purposes of calculating net costs.

4.4 Pricing principles for miscellaneous services not included in Schedule 2

Prices for miscellaneous services must be set according to actual cost calculated on the basis of the aggregate of:

- direct third party or contractor invoice cost;
- direct marginal internal costs, including labour, materials and transport costs; and
- a fair contribution to overheads.

For bank dishonour, debt collection and legal fees, the third party costs must be charged directly to the customer with no contribution for internal costs or a contribution to overheads.

4.5 Guidelines

Westernport Water must comply with any guidelines issued by the Commission from time to time which relate to the setting of prices for *prescribed services* to which Schedule 4 relates.

The **Common Seal** of the **Essential Services Commission** was affixed to this Determination with the authority of the Commission.

Date: 21 June, 2013



Dr Ron Ben-David
Chairperson



Annexure A

Table 1 **Weighted average cost of capital**
(per cent)

<i>Post tax WACC</i>	<i>Implied pre-tax WACC</i>
4.5	4.5

Table 2 **Benchmark revenue requirement**
\$m 2012-13

	<i>2013-14</i>	<i>2014-15</i>	<i>2015-16</i>	<i>2016-17</i>	<i>2017-18</i>
Operating expenditure	12.45	12.40	12.40	12.40	12.40
Return on existing assets	4.31	4.24	4.17	4.10	4.03
Return on new investments	0.15	0.35	0.46	0.63	0.83
Regulatory depreciation	1.69	1.89	2.08	2.26	2.35
Non-prescribed revenue off-set	0.02	0.02	0.02	0.02	0.02
Total	18.58	18.86	19.09	19.36	19.59

Table 3 **Updated regulatory asset base**
\$m 2012-13

	<i>2007-08</i>	<i>2008-09</i>	<i>2009-10</i>	<i>2010-11</i>	<i>2011-12</i>
Opening RAB	68.8	74.9	76.1	80.7	83.8
<i>Plus</i> Gross capital expenditure	8.9	3.1	7.5	6.3	10.7
<i>Less</i> Government contributions	0.0	0.0	0.4	0.3	2.4
<i>Less</i> Customer contributions	0.5	0.3	0.4	0.6	0.7
<i>Less</i> Proceeds from disposals	0.2	0.0	0.2	0.1	0.1
<i>Less</i> Regulatory depreciation	2.2	1.6	1.9	2.1	2.2
Closing RAB	74.9	76.1	80.7	83.8	89.2

Table 4 **Rolled forward regulatory asset base**
\$m 2012-13

	<i>2012-13</i>	<i>2013-14</i>	<i>2014-15</i>	<i>2015-16</i>	<i>2016-17</i>	<i>2017-18</i>
Opening RAB	89.2	96.6	101.6	102.4	103.6	106.6
<i>Plus</i> Gross capital expenditure	10.5	7.5	3.5	4.1	6.2	6.0
<i>Less</i> Government contributions	0.0	0.0	0.0	0.0	0.0	0.0
<i>Less</i> Customer contributions	0.6	0.7	0.8	0.9	0.9	0.9
<i>Less</i> Proceeds from disposals	0.1	0.0	0.0	0.0	0.0	0.0
<i>Less</i> Regulatory depreciation	2.4	1.7	1.9	2.1	2.3	2.4
Closing RAB	96.6	101.6	102.4	103.6	106.6	109.3

Table 5 **Approved licence fee and environmental contribution assumptions**
\$m 2012-13

	<i>2013-14</i>	<i>2014-15</i>	<i>2015-16</i>	<i>2016-17</i>	<i>2017-18</i>
Essential Services Commission licence fee	0.02	0.02	0.02	0.02	0.02
Department of Human Services licence fee	0.01	0.01	0.01	0.01	0.01
Environment Protection Authority licence fee	0.02	0.02	0.02	0.02	0.02
Environmental contribution	0.77	0.75	0.73	0.71	0.69

Table 6 **Bulk water purchases**
\$m 2012-13

	<i>2013-14</i>	<i>2014-15</i>	<i>2015-16</i>	<i>2016-17</i>	<i>2017-18</i>
Bulk water purchases	0.00	0.00	0.00	0.00	0.00

Table 7 **Demand forecast**

	2013-14	2014-15	2015-16	2016-17	2017-18
Water assessments (no.)					
Total	15 899	16 240	16 592	16 952	17 319
Sewerage assessments (no.)					
Total	16 692	17 128	17 578	18 042	18 519
Billable water consumption (ML)					
Residential	1 053	1 077	1 101	1 126	1 151
Non-residential	579	585	590	596	602
Total	1 632	1 661	1 691	1 722	1 753

Table 8 **Key capital projects and programs**

Projects	<i>Expected completion date</i>
Candowie upgrade project	2013-14
Cowes wastewater reticulation – upgrade pump stations	2014-15
Ian Bartlett water purification plant tertiary treatment	2015-16
Cowes wastewater reticulation – new rising mains	2017-18
San Remo basin cover replacement	2017-18
Cowes wastewater treatment plant upgrade	2017-18
Programs	
Water main replacement program	Ongoing