



ICRC

independent competition and regulatory commission

Utility Licence Annual Report 2019–20

TransGrid

electricity transmission



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Utilities are required under the Utilities Act to hold a licence to provide a utility service in the ACT. The utility licence includes general conditions relating to compliance with the Utilities Act, relevant industry and technical codes and other laws in force in the ACT that relate to the provision of a utility service.

Under section 25(2)(d) of the Utilities Act 2000 (Utilities Act), utilities are required to report to the Independent Competition and Regulatory Commission (Commission) annually on the exercise of their functions under the statute and their compliance with licence conditions. The reported information forms the basis for the Commission's monitoring report for licensed utility service providers.

The reporting requirements and obligations are divided into sections in the ULAR. We request the utility to provide complete and relevant data and information based on obligations set out below.

| Ref | Instrument | Section / clause | Description of the obligation and compliance |
|----------------------------------------------------------|--------------------|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PART A — OBLIGATIONS UNDER THE UTILITIES ACT 2000 | | | |
| A1 | Utilities Act 2000 | s.108 | A licensed utility must take all reasonable steps to ensure it causes as little inconvenience, detriment and damage when carrying out network operations. |
| A102 | Utilities Act 2000 | s.109 | A utility must give a landholder a written notice of the proposed network operation at least seven days before a network operation began. The notice must contain information about the purpose of the operation; the nature of activities involved; the parts of the land likely to be affected; and the period or periods during which the activities are expected to be carried out. |
| A103 | Utilities Act 2000 | | Providing a landholder with a seven days' notice does not apply if the operations are to be carried out in urgent circumstances in which it is necessary to protect the integrity of a network or network facility; or the health or safety of people; or public property; or the environment. |
| A106 A107 A108 | Utilities Act 2000 | s.110A(1) and (2) | In addition to the 7 day notice requirement for carrying our network operations under section 109 and 110, the utility must also provide a notice to the heritage council at least 7 days if such operations will affect a heritage place, a registered heritage object or nominated for provisional registration. |
| A109 | Utilities Act 2000 | s.111 | A licensed utility may carry out such operations in urgent circumstances if it is necessary to protect the network public A licensed utility must give at least 7-day notice to a public utility when carrying out network operations or activity that affects or will likely affect a network facility that is under a public utility. The notice must include the purpose and details of the operation set out in section 111(3)(a)(b). |

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| A111 A112 | Utilities Act 2000 | s.112 | A licensed utility must as soon as practicable, remove from the land all plant, machinery and all other things that the utility constructed, installed, or placed on the land that are not part of, or are not to be used in the operation of the network facility to which the activity is related. |
| A113 | Utilities Act 2000 | s.113 | A licensed utility that carries out network operation on land which is not a landholder must take all reasonable steps to ensure that the land is restored to its original condition as soon as practicable. |
| A201 | Utilities Act 2000 | s.115 | A licensed utility must give each of its authorised people an identity card that specifies the person's name and appointment as an authorised person for the utility, and on which appears a recent photograph of the person. |
| A202 | Utilities Act 2000 | s.114 | A licensed utility may appoint a person as an authorised person for the utility. An authorised person must exercise his or her functions under the Act in accordance with the conditions of appointment and any directions given to the person by the utility. |

| Ref | Instrument | Section / clause | Description of the obligation and compliance |
|--------------------------------------------|-----------------|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PART B — UTILITY LICENCE CONDITIONS | | | |
| B101 B102 | Utility licence | cl. 6.1 | The licensee must comply with all Laws for the time being in force in the Territory and applicable to any services provided by the licensed utility in the Territory |
| B101 B102 | Utility licence | cl. 6.2 | Without limiting the generality of clause 6.1, in providing the Authorised Utility Services a licensed utility must comply with: (1) any requirement of the Act; (2) relevant Industry Codes including the performance standards prescribed under those codes; (3) relevant Technical Codes including the performance standards (if any) prescribed under those codes; (4) any direction given to the licensee by the ICRC or the Chief Executive under the Act; and (5) any applicable ring fencing requirements. |
| | Utility licence | cl. 7.4 | A licensed utility must report to ICRC on its obligations under clause 6.2, and in relation to any other reporting requirements the licensee has under the Act, including information which ICRC requires to be reported against pursuant to the Act, by 1 October every year during the term of this Licence. |
| B103 | Utility licence | cl. 7.5 | A licensed utility must ensure that a summary of the annual report required under clause 7.4 is publicly available. |
| B101 | Utility licence | cl. 7.2 | If a licensed utility becomes aware of a material breach of its licence and any Law or such other code of practice, directions and guidelines applicable to the licensee and to any of the other services to be rendered by the licensee that it is required to comply with under clause 6.2, the licensee must notify ICRC of the breach as soon as practicable. |

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| B102 | Utility licence | cl. 7.3 | If a licensed utility has not complied with any of its obligations under clause 6.2, the licensee must identify those obligations and provide a brief statement to ICRC that explains the circumstances of, and reasons for the non-compliance, consequences of the non-compliance (including any penalties imposed) and outlines measures that the licensee will put in place to rectify that noncompliance. |
| B104 | Utility licence | cl. 7.6 | (1) A licensed utility must, from time to time, undertake audits of the services and operations authorised by its licence and of its compliance with its obligations under its licence and any Law, code of practice, directions and guidelines that it is required to comply with under clause 6.2; (2) The audits must be conducted by an independent expert or auditor nominated by the licensee and approved by ICRC. (3) The audit results must be reported to ICRC in a manner (including as to form and substance) approved by ICRC. |
| B105 | Utility licence | cl. 8.1 | A licensed utility must, throughout the term of its licence, continue to satisfy the same technical and prudential criteria that it was required to meet as a condition of the grant of the licence under the Act. |
| B105 | Utility licence | cl. 8.2 | A licensed utility must, when reasonably required by the ICRC, provide ICRC with (1) details of the licensee's financial, technical and other capacity (including the capacity of its major contracted providers) to continue to provide the services and to conduct the operation authorised by this licence; and (2) such other information as ICRC requires. |
| B106 | Utility licence | cl. 10.1 | A licensed utility must not grant a charge over its interest in the licence without prior written consent of ICRC. |
| | Utility licence | cl. 10.2 | A licensed utility must not assign its interest under the licence without the prior written consent of ICRC. |
| B106 | Utility licence | cl. 10.4 | A change in the shareholding on the licensee, at any one time, resulting in the transfer of more than 50 percent of the shares from the licensee to a third party will be deemed to be an assignment for the purposes of clause 10.2. ICRC's consent to assignment in these circumstances will not be unreasonably withheld. |

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| B201 B202 | Utility licence | Schedule 1 | <p>1.1 The licensee must have and maintain:</p> <ul style="list-style-type: none">(a) an asset management system that is consistent with the International Standard ISO 55001 Asset Management System — Requirements; and(b) an environmental management system that is consistent with International Standard ISO 14001 Environmental Management. <p>1.2 The licensee must ensure that:</p> <ul style="list-style-type: none">(a) its asset management system is certified by an appropriately qualified person to be consistent with International Standard ISO 55001 Asset Management System — Requirements; and(b) its environmental management system is certified by an appropriately qualified person to be consistent with International Standard ISO 14001 Environmental Management; and(c) once its asset management system and environmental management systems are each certified, that certification is maintained for the duration of the licence. <p>2. The licensee must notify the ICRC as soon as practicable of any significant changes it proposes to make to its asset management system or environmental management system.</p> <p>3. Implementation of management systems</p> <p>The licensee must ensure that its asset management system and environmental management system are fully implemented and all relevant activities undertaken by it or any other network operator of its transmission system are carried out in accordance with the relevant management system.</p> |
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Reporting period and submission

Reporting period **1 July 2019 to 30 June 2020**

Submission date **by 1 October 2020**

Submit completed icrc@act.gov.au

report to:



Submit the completed report in MS Excel format.

Please note that we may seek additional details after receiving the initial report.

Providing data and information to the Commission

Please read the **Utility Licence Annual Report Guideline** for a more detailed instructions on providing relevant and quality information to the Commission.

- All responses provided should only relate to services provided in the ACT. In the event the licensee is unable to disaggregate ACT services from other jurisdictions, the licensee must provide a statement detailing: area that the dataset covers, brief explanation why data cannot be disaggregated, additional information that may assist the Commission in understanding the approximate percentage of services that are provided in the ACT from the dataset.
- All licensed utilities must provide information and data in the report that are within the reporting period. Data must be provided even if a nil (zero) figure is recorded.
- If the licensee is not able to provide the data or answer a question required in the report, the licensee should indicate 'not available' and provide supplementary information detailing why the information is not available and whether (and in what timeframe) it intends to collect this data.
- In most cases a response of 'yes', 'no', 'not applicable' or a figure will suffice. An explanatory statement or supplementary information (e.g. copies of policies or procedures or a link to material on the internet) maybe required.
- Where data is not available the licensee must provide other data that could serve a similar purpose as the data requested (i.e. data that could equally indicate the level of licensee compliance and identify possible causes of non-compliance). Such data should be clearly identified in the report together with an explanation of the alternative taken.

- The licensee should provide commentary where there is a need to explain key factors relevant to the level of, and trends in, their performance. If the licensee response represents a significant variation in the data from the previous reporting period, additional information is to be provided on the cause(s) of the variation. Any supplementary information can be provided in the comments column, or in an attachment. Where applicable, include measures or actions to be put in place to address or rectify the reported variation. All comments must be put in the comment section box.

PART A — OBLIGATIONS UNDER THE UTILITIES ACT 2000

A1 — Performance of network operations (Division 7.3)

| Reference no. | Reporting requirements | Response | Supporting statement |
|--------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Our tracking number | Data must relate only to the 2019–20 reporting period unless specified otherwise. | Answer n/a if the data requested is not available. Answer "0" if data recorded is nil or zero | Please provide quality information that you believe is relevant and will assist the Commission in its assessment. Please provide an explanation or a reason/s for significant variances from the previous year. |
| Damage etc. to be minimised (Section 108) | | | |
| A101 | Number of complaints received about any inconvenience, detriment or damage to landholders' property resulting from network operations. | 4 | Additional complaints have been received this year compared with previous years due to an increase level of construction associated with the Stockdill project. |

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| A101(b) | Provide details of the type of complaints received and actions taken to address the complaints. | <p>3 complaints were received from landowners adjacent to the newly constructed transmission line from Canberra substation to Stockdill substation. Prior to purchasing their properties they were unaware of the project.</p> <p>1 complaint was received from a Landowner opposite the existing Canberra substation regarding transformer noise. This transformer is scheduled for de-commissioning shortly which will resolve this issue. This was communicated to the landowner.</p> | |
| Notice to landholders to undertake network operations (Section 109) | | | |
| A102 | Number of times the licensee failed to give the landholder at least seven days notice of a proposed network operation. | 0 | No reportable instances. |
| A102(a) | Provide a reason/s for failing to meet the requirement and actions taken to rectify any issues that are associated with not meeting the requirement. | Not applicable | |
| A103 | Number of complaints received about carrying out operations in urgent circumstances under section 109(5). | 0 | No reportable complaints received. |
| A103(a) | Provide details of the type of complaints received and actions taken to address the complaints. | Not applicable | |
| Network operations affecting heritage significance (Section 110A) | | | |
| A106 | Number of notices given under sections 109 and 110 that may have affected a place or object of heritage significance under section 110A. | 0 | |

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| A107 | Number of notices under section 110A where the licensee failed to provide copies to the heritage council at least seven days before the network operation. | 0 | |
| A108 | Number of complaints received related to carrying out network operations in urgent circumstances that may have affected a place or object registered, or nominated for provisional registration, where section 110A(2) was relied on to carry out the operations. | 0 | No reportable complaints received. |
| A108(a) | Provide details of the type of complaints received and actions taken to address the complaints. | Not applicable | |
| Notice to other utilities (Section 111) | | | |
| A109 | Number of complaints received for failing to give seven days notice to other public utilities before performing network operations on their land that potentially affected network facilities under the care and management of those utilities. | 0 | |
| A109(a) | Provide details of the type of complaints received and actions taken to address the complaints. | Not applicable | |
| A110 | Number of complaints received for carrying out network operations in urgent circumstances under section 111(6). | 0 | |
| A110(a) | Provide details of the type of complaints received and actions taken to address the complaints. | Not applicable | |
| Removal of utility's property and waste (Section 112) | | | |
| A111 | Number of network operations where the licensee failed to remove as soon as practicable from the land, for which it was not the landholder, items listed in section 112(1). | 0 | No reportable instances. |
| A112 | Number of complaints received for failing to remove as soon as practicable from the land for which it was not the landholder, any items listed in section 112(1). | 0 | No reportable complaints received. |

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| A112(a) | Provide details of the type of complaints received and actions taken to address the complaints. | Not applicable | |
| Land to be restored (Section 113) | | | |
| A113 | Number of complaints received for failing to ensure, as soon as practicable, that the land was restored to a condition that was similar to its condition before the operations began. | 1 | |
| A113(a) | Provide details of the type of complaints received and actions taken to address the complaints. | Complaint was received from Belconnen Magpies Golf Course regarding remediation of golf course towers 5 & 6 as part of the project establishing the new transmission line between Canberra substation and Stockdill substation. TransGrid is continuing discussions to resolve this complaint. | |

END OF A1

PART A— Exercise of functions under the Utilities Act 2000

A2 — General functions

| Reference no. | Reporting requirements | Response | Supporting statement |
|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Our tracking number | Data must relate only to the 2019–20 reporting period unless specified otherwise. | Answer n/a if the data requested is not available. Answer "0" if data recorded is nil or zero | Please provide quality information that you believe is relevant and will assist the Commission in its Please provide an explanation or a reason/s for significant variances from the previous year. |
| Authorised persons (Division 7.4) | | | |
| A201 | Were all persons authorised under section 114 (Authorised Persons) issues with photographic identity cards? | Yes | |
| A202 | Are authorised persons made aware of their obligations and entry restrictions under the Utilities Act? | Yes | |
| A202(b) | Provide details of any induction or special training to authorised persons to educate them about their obligations and entry restrictions under the Utilities Act. Please include whether the training is provided on a regular or ad hoc basis. | Utilities Act obligations are entered in the TransGrid compliance management system and responsibility allocated to the relevant management | |

END OF A2

PART B — UTILITY LICENCE CONDITIONS

B1 — General conditions

| Reference no. | Reporting requirements | Response | Supporting statement |
|----------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Our tracking number | Data must relate only to the 2019–20 reporting period unless specified otherwise. | Answer n/a if the data requested is not available. Answer "0" if data recorded is nil or zero. | Please provide quality information that you believe is relevant and will assist the Commission in its Please provide an explanation or a reason/s for significant variances from the previous year. |
| Licensee to notify ICRC of any material breaches (Clause 7.2) | | | |
| B101 | Number of material breaches of the licensee's licence or any applicable law, code of practice, directions and guidelines. | No | |
| B101(a) | Provide details of each material breach. | Not applicable | |
| B101(b) | Was the ICRC notified of the breaches? | Not applicable | |
| B102 | Number of non-compliances with any of the licensee's obligations under clause 6.2 of its licence to comply with the Utilities Act, relevant Industry Codes, relevant Technical Codes, any directions given by the ICRC or any applicable ring-fencing requirements | No | |
| B102(a) | Provide details of the non-compliances, including actions taken to rectify or minimise the effect of the non-compliance. | Not applicable | |
| B102(b) | Was the ICRC notified of the breaches? | Not applicable | |
| Availability of Utility Licence Annual Report (Clause 7.5) | | | |

Regular"

Note: This requirement specifically refers to the ULAR only, not the General Annual Report of the licensee. Whilst a summary of ULAR is required, the licensee may also make the entire ULAR publically available. Making the summary of a ULAR (or entire ULAR) publically available means placing the ULAR in a public space such as the utility's website, or making a clear and easily accessible statement on the website as to where a summary of the ULAR may be easily accessed. Simply providing a summary to a member of the public when requested and not being clear and explicit about the existence of the summary up front is not regarded as making the summary publically available.

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| B103 Provide a link to the publicly available ULAR or a publicly available summary of the ULAR, or link to a clear and easily accessible statement on the website as to where a summary of the ULAR may be easily accessed. | https://www.transgrid.com.au/news-views/publications/Pages/default.aspx |
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Operation and compliance audits (Clause 7.6)

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| B104 Provide details of how the licensee has, from time to time, undertaken audits of the services and operations authorised under its licence and of its compliance with its obligations under the licence and any law, code of practice, direction and guideline that it is to comply with under clause 6.2. | TransGrid has a Corporate Compliance Framework to enable the appropriate management of its compliance obligations across its operations. TransGrid's compliance audits are primarily based around its key management systems (Health and Safety, Environment, Asset Mangement and Quality). In addition, a Corporate Risk and Compliance function monitors compliance through independent reviews to challenge and improve compliance performance. TransGrid's Internal Audit function also provides indepedent assurance as to the appropriateness and effectiveness of compliance management in the business and makes recommendations to improve compliance performance. The combination of these is considered to provide satisfactory coverage of its operations in the ACT. |
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Regular"

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| B104(a) | Were the audits conducted by an independent expert or auditor nominated by the Licensee and approved by the Commission? | No | TransGrid note that in FY20, TransGrid's ENSMS bushfire risk management has been independently audited under IPART direction by an IPART approved auditor. |
| B104(b) | Were the audit results reported in a manner approved by the Commission? | Not applicable | |

Technical and prudential criteria (Clause 8)

The licensee must, throughout the term of its licence, continue to satisfy the same technical and prudential criteria that it was required to meet as a condition of being granted the licence.

Note: A copy of the Commission's technical and prudential criteria guideline is available at:

https://www.icrc.act.gov.au/_data/assets/pdf_file/0006/1241673/Guidelines_on_prudential_and_technical_criteria_Oct_2012.pdf

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| B105 | Please provide a summary of details of the licensee's financial and technical capacity for 2019–20 which show it can continue to provide the services authorised in the licence. | <p>There is no significant change to TransGrid's financial capacity that would place TransGrid's capacity to meet licence obligations at risk.</p> <p>TransGrid's financial statements for the 2019/20 financial year have been externally audited and no issues were raised that materially impact TransGrid's financial capacity.</p> | |
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Charge and assignment (Clause 10)

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| B106 | Were there any significant transfers in shareholdings (involving more than 50% of the shares) or changes in ownership in 2019–20 ? | No significant transfers in shareholdings or changes in ownership occurred in 2019/20 i.e., for the period from 1 July 2019 to 30 June 2020. | As was reported to the Commission on 23 July 2020, TransGrid had a change of owners effective 19 July 2020. |
| B106 (a) | If so, please provide details. | Not applicable | |

Regular"

END OF B1

PART B — UTILITY LICENCE CONDITIONS

B2 — Additional licence conditions (schedule 1)

| Reference no. | Reporting requirements | Response | Supporting statement |
|----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Our tracking number | Data must relate only to the 2019–20 reporting period unless specified otherwise. | Answer n/a if the data requested is not available. Answer "0" if data recorded is nil or zero. | Please provide quality information that you believe is relevant and will assist the Commission in its Please provide an explanation or a reason/s for significant variances from the previous year. |
| Maintenance of an asset management system | | | |
| B201 | Does the licensee maintain an asset management system in place that is consistent with the International Standard ISO 55001 Asset Management System requirements? | Yes | TransGrid has and maintains an Asset Management System that is consistent with the requirements of ISO 55001. |
| B201(a) | Does the licensee's asset management system certified by an appropriately qualified person to be consistent with International Standard ISO 55001 Asset Management System requirements? | Yes | TransGrid's Asset Management System has been independently certified by an appropriately qualified entity to be consistent with ISO 55001 requirements. |
| B201(b) | Does the licensee maintain this certified system for the duration of the licence? | Yes | TransGrid achieved re-certification in 2017 and has had surveillance audits by the certifying auditor in 2018 and 2019 to ensure continued compliance. |
| B201(c) | Does the licensee's asset management system fully implemented and all relevant activities undertaken by it or any other network operator of its transmission system are carried out in accordance with the relevant management system? | Yes | TransGrid's Asset Management System is fully implemented and all relevant activities are carried out in accordance with this system. |
| Maintenance of an environmental management system | | | |

Regular"

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| B202 | Does the licensee maintains environmental management system is consistent with the ISO 14001 requirements? | Yes | TransGrid has and maintains an Environmental Management System that is consistent with ISO 14001 requirements (2015) standard. |
| B202(a) | Does the licensee's environmental management system has been independently certified by an appropriately qualified entity to be consistent with ISO 14001 requirements? | Yes | Global Mark has certified TransGrid's environmental system to ISO:14001 standard in February 2018. A surveillance audit is planned for November 2020. |
| B202(b) | Does the licensee maintained this certified system for the duration of the licence? | Yes | TransGrid maintained this certified system in a fully implemented manner during 2019-2020. |
| B202(c) | Does the licensee's environmental management system fully implemented and all relevant activities undertaken by it or any other network operator of its transmission system are carried out in accordance with the relevant management system? | Yes | TransGrid completed all relevant environmental management activities during 2019-2020 in accordance with this system. |

END OF B2

Authorising and contact officers

Authorising officer

The licensee's officer authorising the release of this information for electricity transmission services is:

| | |
|--------------------------------|----------------------------------------------------------------------------------------|
| Name | Andrew McAlpine |
| Title/position in organisation | Asset Systems and Compliance Manager |
| Postal address | PO Box 87 Horsley Park, NSW, 2175 |
| Telephone | (02) 9284 3000 |
| Email | andrew.mcalpine@transgrid.com.au |

Contact officer

The licensee's contact officer for regulatory and compliance issues for electricity transmission services is:

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|--------------------------------|------------------------------------------------------------------------------------|
| Name | Hilary Priest |
| Title/position in organisation | Head of Compliance |
| Postal address | PO Box A1000 Sydney South, NSW, 1235 |
| Telephone | (02) 9284 3000 |
| Email | hilary.priest@transgrid.com.au |