



Objective File No 15/27777
Rec'd Minister's Office 1.9 DEC 2015

To: Minister for the Environment

From: Director-General [redacted] 07/12/15
Executive Director, Sustainability and Climate Change [redacted]

Subject: 2014-15 First Annual Feed-in Tariff Report

Critical Date 22 December 2015

Critical Reason The report is required to be released within six months of the end of the financial year. This date will enable the report to be released before the Christmas shutdown period.

Purpose

1. To seek your agreement to the release of the report on the website of the Environment and Planning Directorate (EPD).

Background

Rooftop solar FiT annual reporting amendments

2. On 4 June 2015, the Legislative Assembly passed the amendments to the *Electricity Feed-in (Renewable Energy Premium) Act 2008* which provides for the ACT's small and medium scale Feed-in Tariff (FiT) scheme ('rooftop solar'). These amendments included streamlining reporting requirements with the monthly reporting for the rooftop solar FiT scheme replaced with annual reporting.

3. This has meant that EPD has ceased publishing monthly reports on its website. This will be replaced by a single annual report. The amendments require the Government to publish the report within six months of the end of the financial year. This annual report is also intended to replace the quarterly report on the scheme published by the Independent Competition and Regulatory Commission (ICRC). Note the final quarterly report published by the ICRC on the rooftop solar FiT scheme (June 2015 quarter) covers the same period as the 2014-15 annual report.

Large scale FiT and 90% by 2020 renewable energy target

4. EPD previously advised you (15/14797) that the new annual report would benefit from the inclusion of large scale FiT scheme by providing a combined source of information on all of the ACT's renewable energy schemes in a single easy to understand report. You agreed to this inclusion and also requested that the report reflect the progress of the 90% by 2020 renewable energy target. This has been included in the attached report provided at Attachment A and the accompanying infographic at Attachment B. Note the infographic is provided for information only and will be graphically enhanced prior to its release.

Performance Assessment

DUE DATE:/...../..... DATE RECEIVED:...../...../.....

SATISFACTORY UNSATISFACTORY

According to criteria specified in ACT Government Policy Performance Measures

Signature / .../....

Issues

Data quality issues

5. ActewAGL Distribution (AAD) provided a response to the annual report information request on 30 September 2015. According to this response, the output of the rooftop solar FiT scheme was approximately 32 Gigawatt hours (GWh) in 2014-15. This represented a significant decline of almost 10% in the output of the FiT scheme relative to 2013-14 (35.4 GWh). EPD sought an explanation from AAD for this significant decline and was initially advised that historical data for the scheme may have been overstated. This also raised the possibility that the FiT review may have included erroneous data.

6. EPD requested revised data from AAD due to these issues. The receipt of this data took a significant period of time and was finally received on 30 November 2015. This significantly delayed the development of the report. The revised data made only minor variations to historical data (See Appendix D on page 10 of the report). However, it revised the 2014-15 output to 34.6 GWh. It also revised the number of generators under the scheme from 10,175 reported in the FiT Review to 9,950 at the end of 2014-15.

7. EPD has advised AAD at the officer level that these data quality issues, which have also occurred previously under other reporting processes, undermine confidence in its reporting. In particular, EPD does not have confidence that the data provided for 2014-15 is accurate due to the significant decline in output and associated inconsistencies in the detailed 2014-15 output report provided by AAD.

8. While AAD has acknowledged the data quality issues, it has stated that it considers the revised data to be the most accurate available. It has also advised that it is looking into the issues raised by EPD, and may issue a revised data set if discrepancies are detected. It has also acknowledged that this is unlikely to be resolved in time for the statutory timeframes required for the annual FiT report.

9. It is recommended that EPD escalate this issue with the Director-General writing to AAD formally raising concerns over the quality of the data. EPD notes that under the recent amendments there is an option to audit the scheme if the information provided is considered incomplete, untrue or misleading. While this is considered to be last resort option, EPD will provide you a further update on appropriate actions if the response and any actions proposed by AAD fail to increase confidence in its reporting.

2014-15 FiT Report

10. The proposed 2014-15 annual report is provided at Attachment A. The report has been written in an easy to understand language. It includes short explanations on the ACT's FiT schemes and the context of these schemes within the Government's broader emission reduction and renewable energy targets. The background in the report and the accompanying infographic is intended to support the commitment made by you during the debate on the reporting amendments, on the Government's intention to develop useful reports to help the community better understand the Territory's renewable energy policies. Note the final report may differ slightly to meet any accessibility requirements.

11. A table from the report summarising 2014-15 FiT performance is provided below for your information. The description accompanying this table is on pages 5 and 6 of the report.

	Small and Medium FiT	Large Scale FiT
Number of generators	9,950	1
Installed Capacity (Megawatts)	26.2 MW	20 MW
Electricity Production (Megawatt Hours)	34,613 MWh	33,397 MWh
Total FiT Paid	\$13,704,878	\$5,015,580
Cost (\$/Megawatt Hours)	5.52 \$/MWh	3.11 \$/MWh
Cost in electricity bills (\$/ Per week)	78.9 cents	44.5 cents

12. The description in the report accompanying the above table notes that the 2014-15 output for the small and medium scale FiT scheme is lower than previously reported. It states that it is possible that this data may be revised and republished by EPD once it becomes available. The report does not highlight the long term historical output trends for the scheme as originally envisaged, due to the lack of confidence in the current data provided by AAD and the potential for further revisions.

13. You should also note that the report also does not include data on non-FiT supported rooftop solar installations. While EPD requested this data on a voluntary basis, some electricity retailers stated an inability to share this data noting that it was also not required under any legislative requirements. EPD considers that while providing data on non-FiT supported rooftop solar installations would have been beneficial, its exclusion does not detract from the main purpose of the report to provide information on the ACT Government FiT schemes. However, as more non FiT supported renewables on stream, it will be critical for data on all renewables to be collected. A legislative requirement will therefore likely be warranted. A further brief on this matter will be provided early in the new year.

Financial Implications

14. There are no financial implications.

Directorate Consultation

15. Consultation with other Directorates was not required on this issue.

External Consultation

16. EPD consulted with the ACT electricity distributor and electricity retailers during the development of the report.

Benefits/Sensitivities

17. This report provides an easy to understand source of information on the ACT Government FiT schemes and the progress of the 90 % by 2020 renewable energy target.

18. The report highlights that some of the data has been revised to what was previously reported in the FiT Review. This may raise concerns over the credibility of the information provided by the Government on the scheme.

Media Implications

19. The report may attract attention by media. EPD will develop a media release and other communication materials if requested by your office. The infographic will assist in easy understanding of the report by the Community.

Recommendation

That you:

- note the information provided in this brief;

NOTED/PLEASE DISCUSS

- agree to EPD writing to AAD stating its lack of confidence in its reporting and steps it will take to ensure data quality issues are resolved; and

AGREED/NOT AGREED/PLEASE DISCUSS

- agree to the release of the report on the EPD website.

AGREED/NOT AGREED/PLEASE DISCUSS

[Signature]
Simon Corbell MLA 21/12/15

Minister's Comments

[Redacted]
Jon Sibley
A/g Director, Energy and Waste Policy

Phone 51889

Action Officer: Sean Das
Section: Energy Policy

Phone 77462



ACT
Government

Environment and Planning

Objective Reference: 16/00288

BRIEF

Data quality concerns – Rooftop Solar Feed-in Tariff (FiT) scheme

DIRECTOR-GENERAL

29/1/16

EXECUTIVE DIRECTOR

22/1/16

PURPOSE

To seek your agreement to the proposed letter at [Attachment A](#) requesting ActewAGL Distribution (AAD) address the Directorate's concerns in relation to the rooftop solar FiT Scheme.

BACKGROUND

In December 2015, the Minister agreed to the Environment and Planning Directorate (EPD) writing to AAD stating its lack of confidence in the information provided in relation to the rooftop solar FiT scheme and the steps it would take to ensure these data quality issues are resolved (15/27777). A copy of this brief is provided at [Attachment B](#). EPD's concerns over the data quality issues are discussed in paragraphs 5 to 9 of the attached brief.

ISSUES

The proposed letter states EPD's concerns and requests AAD to address these issues and provide a formal response by 31 March 2016.

POTENTIAL MEDIA IMPLICATIONS

There are no media implications at this stage. However, this may change if the community loses confidence in AAD's administration of the FiT scheme and government reporting.

BUDGET IMPLICATIONS

There are no budget implications.

CONSULTATION STRATEGY

Consultation was not required in the development of this brief.

CRITICAL DATE

Not critical.

RECOMMENDATIONS

That you sign the proposed letter at Attachment A requesting AAD to address EPD's concerns.

[REDACTED]
Jon Sibley

Director
Energy and Waste Policy

Date: 25 January 2016

AGREED/NOT AGREED/NOTED/PLEASE DISCUSS

[REDACTED]
DIRECTOR-GENERAL

Date: 29 January 2016

Contact Officer: Sean Das
Team: Energy Policy
Phone: 77462

Date: 21 January 2016



ACT
Government

Environment and Planning

Mr Michael Costello
Chief Executive Officer
ActewAGL
GPO Box 366
Canberra ACT 2601

Dear ~~Mr~~ ^{Michael,} Costello

Reporting of the Rooftop Solar Feed-in Tariff scheme

I am writing in relation to the requirement on ActewAGL Distribution to provide information on the rooftop solar Feed-in Tariff (FiT) scheme for the development of the Minister's annual FiT report. This requirement exists under Part 3A of the *Electricity Feed-in (Renewable Energy Premium) Act 2008* (the Act) and came into effect in June 2015. This amendment to the Act was introduced at the time to assist the industry by replacing previous monthly and quarterly reporting with a single streamlined annual reporting requirement.

Concerns over data quality

The 2014-15 FiT report, the first annual report under this requirement was released in December 2015 (http://www.environment.act.gov.au/energy/rooftop_solar). While I would like to thank ActewAGL Distribution for providing input during the development of this report, I would also like to communicate concerns regarding the quality of the data managed and reported during this process.

Our concerns relate to frequent inconsistencies, significant revisions and unexplained variances in the data provided to the Environment and Planning Directorate (EPD) by ActewAGL Distribution. For example, the initial information provided for 2014-15 represented a decline of almost 10% in the electricity generated compared to the previous year. This anomaly was not explained but later revised three months after the original request for information. However, the revised output for 2014-15 still represents an inexplicable decline. Unfortunately, this is just one in a number of instances where concerns have arisen in EPD over the quality of data provided.

I would like to note the significant positive efforts that were made by ActewAGL Distribution staff during the annual reporting process to resolve and respond to concerns raised by EPD. However, these concerns point to underlying systematic issues related to data capture and quality assurance. These systematic data issues have also led to concerns regarding the accuracy of pass through costs of the scheme.

Next steps

In light of these concerns, it is appropriate that I request ActewAGL Distribution to review reporting and administrative arrangements for the scheme. This should include the following:

- Effectiveness of data collection and reporting processes for individual rooftop solar systems.
- Accuracy of data previously provided. This could include potential revisions to ensure a historically accurate data series is available for the scheme providing a confident basis for future reporting.
- Steps that ActewAGL Distribution will take to ensure data errors and delays are not repeated in the future.
- Arrangements to ensure pass through costs of the scheme being recovered are accurate, including clarity around historical pass through costs recovered to date.
- Other administrative arrangements put in place to ensure the scheme continues to function effectively.

I would like to emphasise the importance of ensuring continued confidence in the administration of the scheme. Part 3A of the *Electricity Feed-in (Renewable Energy Premium) Act 2008* allows the Minister to require an audit if it is considered on reasonable grounds that the information provided is untrue, misleading or incomplete. However, this is envisaged only as a last resort option.

EPD would like to be offered an opportunity to discuss the outcomes of this review with ActewAGL Distribution. This is intended to ensure that these issues are resolved prior to the next annual FiT reporting process for 2015-16 and for future reporting to proceed on an accurate and confident basis. EPD would be concerned if a business as usual response was received, as it is apparent that information management and reporting systems of ActewAGL Distribution have the potential to undermine public confidence in statutory reporting processes.

Please contact Jon Sibley, Director, Energy and Waste Policy within EPD on (02) 6205 1889 or at Jon.Sibley@act.gov.au if you would like to discuss the issues raised in this letter.

Yours sincerely



Dorte Ekelund
Director-General

29 January 2016

**Environment, Planning and Sustainable
Development Directorate**

UNCLASSIFIED

To:	Minister for Climate Change and Sustainability	Tracking No.: 18/08960
Date:	03/05/2018	
From:	Director, Energy markets and Renewables	
Subject:	Review of the <i>Electricity Feed-in (Renewable Energy Premium) Act 2008</i> and audit of data provided for reporting requirements	
Critical Date:	08/05/2018	
Critical Reason:	To allow the review process to begin in 2017-18 as budgeted	

- DG .../.../...
- DDG, Sustainability and the Built Environment .../.../...

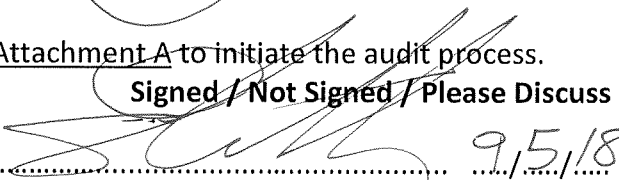
Purpose

To seek your approval to conduct a review of the *Electricity Feed-in (Renewable Energy Premium) Act 2008* (the Act) and an audit of the data provided by Evoenergy under the Act.

Recommendations

That you:

1. **Agree** that EPSDD conduct a review of the Act as outlined in this brief;
Agreed / Not Agreed / Please Discuss
2. **Agree** to require Evoenergy to perform an audit of the data provided to EPSDD under the Act; and
Agreed / Not Agreed / Please Discuss
3. **Sign** the Disallowable Instrument at Attachment A to initiate the audit process.
Signed / Not Signed / Please Discuss

Shane Rattenbury MLA  9/5/18

Minister's Office Feedback Please have the DG or DDG contact Michael Costello to ensure the background to this is understood.

UNCLASSIFIED

Background

1. The *Electricity Feed-in (Renewable Energy Premium) Act 2008* establishes the ACT's small and medium-scale feed-in tariff (FiT) scheme, which allows for payments to be made to ACT households and businesses that are generating renewable electricity. The scheme was open for applications between March 2009 and July 2011. Evoenergy is the scheme's administrator.
2. Section 13 of the Act requires that the operation of the scheme be reviewed at least once every five years, and that a copy of the review report be presented to the Legislative Assembly no later than six months after the end of the review period. The Act took effect on 1 March 2009 and the first review was due to be completed in 2014, however this was delayed and not completed until August 2015. Conducting a second review prior to March 2019 will return this process to the legislated five-yearly schedule.
3. Sections 11A and 11B of the Act contain the scheme's reporting requirements, which enable the ACT Government to monitor its operation. Evoenergy is required to provide the government with data in accordance with these reporting requirements.

Issues

Review of the Act

4. To ensure the review process adheres to the required five-yearly schedule, EPSDD proposes to initiate another review of the Act in 2018. Conducting a review of the Act will also provide an opportunity to clearly identify data quality issues, and should you agree, help inform the scope of an audit. It is proposed that the review will assess the Act and the scheme pursuant to requirements of the Act.
5. It is proposed that a consultant be in place and work commenced on the review by the end of June 2018.

Audit of reporting under the Act

6. Previously, data provided by Evoenergy for reporting purposes has been late, and there have been inconsistencies between its data and that provided by retailers. This has raised questions about the reliability and accuracy of the information provided by Evoenergy.
7. EPSDD's concerns were raised with Evoenergy (then ActewAGL Distribution) in January 2016. A copy of the letter, and the associated internal brief, is provided at Attachment B. The letter noted that should the data reporting not improve an audit may be required, but that this would be a last resort option. This letter, and numerous other representations, have to date failed to improve the quality of the data provided by Evoenergy under the Act. EPSDD believes there is a case to initiate a consultant-led audit of the scheme to address these concerns.

8. Under section 11C of the Act you may require Evoenergy to commission an audit of the data provided, if you believe on reasonable grounds the information is untrue, misleading or incomplete. Under this section you may also appoint the auditor and determine the audit requirements. Should you agree to request an audit, EPSDD proposes to work collaboratively with Evoenergy to establish a finalised terms of reference for the audit.
9. A Disallowable Instrument is required to initiate an audit under section 11C of the Act. Should you agree, an instrument has been prepared and is provided at Attachment A.

Financial Implications

10. \$40,000 has been allocated by EPSDD in the 2017-18 budget to conduct the review.
11. Should you agree to undertake an audit of the data provided by Evoenergy, the audit must be paid for by Evoenergy. This is established under section 11C of the Act.

Consultation

Internal

12. EPSDD Governance, Compliance and Legal have been consulted regarding the process for initiating an audit of the data provided by Evoenergy, and to draft the Disallowable Instrument at Attachment A.
13. EPSDD Communications have been consulted in developing the communications plan provided at Attachment C.

Cross Directorate

14. Chief Minister, Treasury and Economic Development Directorate has been advised of EPSDD's intention to seek your approval to review the Act and initiate a consultant-led audit of the information provided by Evoenergy under the Act.

External

15. No external consultation was necessary for this brief.

Benefits/Sensitivities

16. Conducting a review of the operation of the Act will enable EPSDD to determine if it still ensures the effective administration of the small and medium-scale FiT scheme, and if any legislative amendments are required to improve the scheme.
17. Requesting Evoenergy conduct an audit of its data, at its expense, has the potential to negatively impact the working relationship between EPSDD and Evoenergy. However, this would be managed by EPSDD taking a collaborative and transparent approach to the process.

Media Implications

18. Initiating a review of the Act may attract some media scrutiny regarding the functioning of the Act and the scheme. Likewise, triggering an independent audit of Evoenergy's data is likely to raise questions about the scheme and its effective management, and its pass through costs, which could undermine community support for the scheme. As such, a communication plan is provided at Attachment C.

Signatory Name: James Priestley Phone: 72090
Action Officer: Emma Ereaut Phone: 77901

Attachments

Attachment	Title
Attachment A	Disallowable Instrument for FIT audit (for signature)
Attachment B	2016 brief and letter to ACTEW
Attachment C	Communications Plan – FIT Review and Audit

Australian Capital Territory

Electricity Feed-in (Audit of Information) Determination 2018 (No 1)

Disallowable instrument DI2018–

made under the

Electricity Feed-in (Renewable Energy Premium) Act 2008, s11C (Audit of information given to Minister)

1 Name of instrument

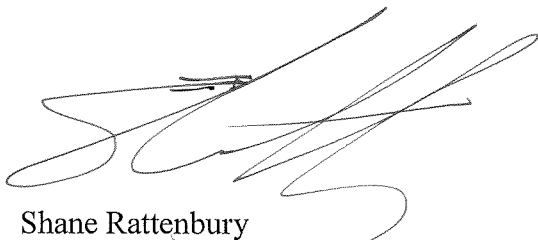
This instrument is the *Electricity Feed-in (Audit of Information) Determination 2018 (No 1)*.

2 Commencement

This instrument commences on the day after its notification day.

3 Audit of information

I determine as follows. I require an audit of the required information provided by the electricity distributor under section 11B of the *Electricity Feed-in (Renewable Energy Premium) Act 2008*.



Shane Rattenbury
Minister for ~~Climate Change~~ and Sustainability



ACT
Government

Environment and Planning

Objective Reference: 16/00288

BRIEF

Data quality concerns – Rooftop Solar Feed-in Tariff (FiT) scheme

DIRECTOR-GENERAL [REDACTED] 29/1/16

EXECUTIVE DIRECTOR [REDACTED] 22/1/16

PURPOSE

To seek your agreement to the proposed letter at [Attachment A](#) requesting ActewAGL Distribution (AAD) address the Directorate's concerns in relation to the rooftop solar FIT Scheme.

BACKGROUND

In December 2015, the Minister agreed to the Environment and Planning Directorate (EPD) writing to AAD stating its lack of confidence in the information provided in relation to the rooftop solar FIT scheme and the steps it would take to ensure these data quality issues are resolved (15/27777). A copy of this brief is provided at [Attachment B](#). EPD's concerns over the data quality issues are discussed in paragraphs 5 to 9 of the attached brief.

ISSUES

The proposed letter states EPD's concerns and requests AAD to address these issues and provide a formal response by 31 March 2016.

POTENTIAL MEDIA IMPLICATIONS

There are no media implications at this stage. However, this may change if the community loses confidence in AAD's administration of the FiT scheme and government reporting.

BUDGET IMPLICATIONS

There are no budget implications.

CONSULTATION STRATEGY

Consultation was not required in the development of this brief.

CRITICAL DATE

Not critical.

RECOMMENDATIONS

That you sign the proposed letter at Attachment A requesting AAD to address EPD's concerns.

[REDACTED]
Jon Sibley
Director
Energy and Waste Policy

Date: 25 January 2016

AGREED/NOT AGREED/NOTED/PLEASE DISCUSS

[REDACTED]
DIRECTOR-GENERAL

Date: 29 January 2016

Contact Officer: Sean Das
Team: Energy Policy
Phone: 77462

Date: 21 January 2016



ACT
Government

Environment and Planning

Mr Michael Costello
Chief Executive Officer
ActewAGL
GPO Box 366
Canberra ACT 2601

Dear ~~Mr~~ ^{Michael,} Costello

Reporting of the Rooftop Solar Feed-in Tariff scheme

I am writing in relation to the requirement on ActewAGL Distribution to provide information on the rooftop solar Feed-in Tariff (FiT) scheme for the development of the Minister's annual FiT report. This requirement exists under Part 3A of the *Electricity Feed-in (Renewable Energy Premium) Act 2008* (the Act) and came into effect in June 2015. This amendment to the Act was introduced at the time to assist the industry by replacing previous monthly and quarterly reporting with a single streamlined annual reporting requirement.

Concerns over data quality

The 2014-15 FiT report, the first annual report under this requirement was released in December 2015 (http://www.environment.act.gov.au/energy/rooftop_solar). While I would like to thank ActewAGL Distribution for providing input during the development of this report, I would also like to communicate concerns regarding the quality of the data managed and reported during this process.

Our concerns relate to frequent inconsistencies, significant revisions and unexplained variances in the data provided to the Environment and Planning Directorate (EPD) by ActewAGL Distribution. For example, the initial information provided for 2014-15 represented a decline of almost 10% in the electricity generated compared to the previous year. This anomaly was not explained but later revised three months after the original request for information. However, the revised output for 2014-15 still represents an inexplicable decline. Unfortunately, this is just one in a number of instances where concerns have arisen in EPD over the quality of data provided.

I would like to note the significant positive efforts that were made by ActewAGL Distribution staff during the annual reporting process to resolve and respond to concerns raised by EPD. However, these concerns point to underlying systematic issues related to data capture and quality assurance. These systematic data issues have also led to concerns regarding the accuracy of pass through costs of the scheme.

Next steps

In light of these concerns, it is appropriate that I request ActewAGL Distribution to review reporting and administrative arrangements for the scheme. This should include the following:


- Effectiveness of data collection and reporting processes for individual rooftop solar systems.
- Accuracy of data previously provided. This could include potential revisions to ensure a historically accurate data series is available for the scheme providing a confident basis for future reporting.
- Steps that ActewAGL Distribution will take to ensure data errors and delays are not repeated in the future.
- Arrangements to ensure pass through costs of the scheme being recovered are accurate, including clarity around historical pass through costs recovered to date.
- Other administrative arrangements put in place to ensure the scheme continues to function effectively.

I would like to emphasise the importance of ensuring continued confidence in the administration of the scheme. Part 3A of the *Electricity Feed-in (Renewable Energy Premium) Act 2008* allows the Minister to require an audit if it is considered on reasonable grounds that the information provided is untrue, misleading or incomplete. However, this is envisaged only as a last resort option.

EPD would like to be offered an opportunity to discuss the outcomes of this review with ActewAGL Distribution. This is intended to ensure that these issues are resolved prior to the next annual FIT reporting process for 2015-16 and for future reporting to proceed on an accurate and confident basis. EPD would be concerned if a business as usual response was received, as it is apparent that information management and reporting systems of ActewAGL Distribution have the potential to undermine public confidence in statutory reporting processes.

Please contact Jon Sibley, Director, Energy and Waste Policy within EPD on (02) 6205 1889 or at Jon.Sibley@act.gov.au if you would like to discuss the issues raised in this letter.

Yours sincerely



Dorte Ekelund
Director-General

29 January 2016



Communications and Engagement plan for Small and Medium-scale Feed-in Tariff Scheme Review and Audit

PART A: COMMUNICATIONS PLAN	
Project name	Small and Medium-scale Feed-in Tariff (FiT) Scheme Review and Audit
Project launch date	Not applicable. Talking points will be prepared in the event that the review and audit process receives media attention.
Lead directorate	Environment, Planning and Sustainable Development
Support directorate(s)	Not applicable.
Background/Purpose	<p>The <i>Electricity Feed-in (Renewable Energy Premium) Act 2008</i> (the Act) establishes the ACT's small and medium-scale feed-in tariff (FiT) scheme, which allows for payments to be made to ACT households and businesses that are generating renewable electricity. These payments encourage the uptake and development of renewable electricity. Successful applicants are paid by their electricity retailer for the total kilowatt hours their system generates, including any used at the premises where it was generated as well as the energy that is returned to the grid. The retailer then passes the cost on to the electricity distributor, Evoenergy, who incorporates this cost into network charges. Evoenergy is also the scheme's administrator.</p> <p><i>Review of the Act</i> Section 13 of the Act requires that the operation of the scheme be reviewed at least once every five years, and that a copy of the review report be presented to the Legislative Assembly no later than six months after the end of the review period. The Act took effect on 1 March 2009, with the first review completed in August 2015, a year later than required. A second review is due prior to March 2019, to return the process to the required five-yearly schedule.</p> <p><i>Audit of Information Provided by Evoenergy</i> Under section 11A of the Act there are reporting requirements related to the scheme, which enable the ACT Government to monitor its success. Under section 11B of the Act, Evoenergy must provide the government with data for these reporting requirements. However, EPSDD has received poor quality data from Evoenergy for a number of years. Numerous representations to improve Evoenergy's data quality and reporting have failed, and this presents an ongoing issues risk the effective operation of the scheme.</p> <p>Under section 11C of the Act the Minister may require Evoenergy to commission an audit of the information they have provided, if the Minister believes on reasonable grounds the information is untrue, misleading or</p>



Communications and Engagement plan for Small and Medium-scale Feed-in Tariff Scheme Review and Audit

	<p>incomplete. Under this section the Minister may also appoint the auditor, and the audit must be undertaken in accordance with requirements determined by the Minister. EPSDD believes there is a case to initiate a consultant-led audit of the scheme to address ongoing concerns regarding the quality of data being provided by Evoenergy, and Evoenergy’s administration of the scheme.</p> <p>The purpose of this communications plan is to prepare talking points for the Minister to address the audit and review if asked about them by the media. The talking points should assist in maintaining public confidence in the scheme and its administration.</p>
<p>Communication objectives</p>	<p>To maintain public confidence in the operation of the FiT Scheme.</p>
<p>Target Audience/s</p>	<p>External:</p> <ul style="list-style-type: none"> • FiT scheme participants • ACT energy consumers <p>Internal</p> <ul style="list-style-type: none"> • Minister for Climate Change and Sustainability
<p>Link to Government priorities</p>	<p>In the 2017-18 Budget Statements, priorities for EPSDD identified included:</p> <ul style="list-style-type: none"> • Implementing the ACT’s integrated policy framework for managing the social, economic and environmental challenges faced by the Territory as they relate to energy production and use; and • Managing investments for the Territory to transition to 100 per cent renewable electricity by 2020 while preparing for the next stage of emissions reduction in buildings and the transport network towards net zero emissions by 2050 at the latest.
<p>Key Messages</p>	<ul style="list-style-type: none"> • The small and medium-scale feed-in tariff scheme has been a great success in promoting the generation of electricity from renewable sources in the ACT. In 2016-17, there were over 10,000 generators under the scheme, with a total installed capacity of over 32.53 megawatts, which produced 40,355 megawatt hours of electricity each year. This is equivalent to powering 5,519 homes per year. • In order to ensure the ongoing success of the scheme, the ACT Government is currently undertaking a review of the <i>Electricity Feed-</i>



Communications and Engagement plan for Small and Medium-scale Feed-in Tariff Scheme Review and Audit

	<p><i>in (Renewable Energy Premium) Act</i>, which governs the small and medium-scale feed-in tariff scheme.</p> <ul style="list-style-type: none"> • Under the Act, a review is required to be conducted every five years. This is the second review we have conducted, with the first being completed in 2015. • The review helps us to ensure the scheme is continuing to deliver optimum outcomes for ACT consumers. • Likewise, to enable the ACT Government to monitor the success of the scheme, we need to have confidence in the data reported us by the schemes administrator, Evoenergy. As such, we have seen fit to conduct an audit. • We have chosen to undertake this audit to ensure that the reporting data is as accurate and complete as possible, allowing detailed monitoring of the scheme to ensure it continues to deliver for ACT consumers.
Communication channels	The only required materials for this plan are Ministerial talking points, to be used if the Minister is asked about the review and audit process.
Communication lead and spokesperson	<p>Communication deliverables:</p> <ul style="list-style-type: none"> • Geoff Virtue, Communications, EPSDD Email: Geoff.Virtue@act.gov.au Ph: 620 50312 • James Priestley, A/g Manager, Energy Policy Email: James.Priestley@act.gov.au Ph: 620 72092 • Emma Ereaut, Senior Policy Officer, Energy Policy Email: Emma.Ereaut@act.gov.au Ph: 620 77901 <p>Key spokespeople:</p> <ul style="list-style-type: none"> • Mr Shane Rattenbury MLA, Minister for Climate Change and Sustainability
Budget	Not applicable.
Monitoring and evaluation	<p>The information campaign will be evaluated through:</p> <ul style="list-style-type: none"> • Feedback received from stakeholders and the general public • The number and nature of media items generated • Social media interaction



Communications and Engagement plan for Small and Medium-scale Feed-in Tariff Scheme Review and Audit

Approvals

Action Officer: Geoff Virtue/James Priestley/Emma Ereaut	Date:
Business Unit Head/Executive: Daniel Harding	Date:
Director General: Ben Ponton	Date:
Deputy Director-General: Geoffrey Rutledge	Date:

Alieva, Daria

From: EPSD Government Services
Sent: Tuesday, 1 May 2018 5:37 PM
To: Round, Jessica
Cc: EPSD Government Services
Subject: Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]
Attachments: 18_08960 - Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act 2008.obr

Hi Jess - can this one please go back to the action officer to reduce the length of the brief to two pages (plus recommendation page)? Anything detailed should be placed into an attachment please.

The two-page brief requirement is a direction from the DG Office.

Thank you,

Laura

-----Original Message-----

From: EPSD Government Services
Sent: Tuesday, 1 May 2018 12:11 PM
To: Ereaut, Emma <Emma.Ereaut@act.gov.au>; EPSD Government Services <EPSDGovernmentServices@act.gov.au>
Subject: FW: Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]

Thanks Emma - all you need to remember is the EPSD Gov Services email for anything for us - have forwarded through so this is only FYI only Thanks Lisa

-----Original Message-----

From: Ereaut, Emma
Sent: Tuesday, 1 May 2018 11:54 AM
To: Sampson, Lisa <Lisa.Sampson@act.gov.au>
Subject: Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]

Good morning Lisa

The attached brief on TRIM has been cleared by Daniel Harding, would you please progress it for clearance to Geoffrey Rutledge, Ben Ponton and to the Minister's Office?

Please let me know if you need any further information, or if there is a general Government Services email address I should send this to (apologies, I am still quite new to EPSDD),

Kind regards

Emma Ereaut | Senior Policy Officer, Renewable Energy p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | ACT Government Dame Pattie Menzies House 16
Challis Street Dickson | GPO Box 158 Canberra ACT 2601

Emma Ereaut has sent you a link to "18/08960 - Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act 2008" (qA706324) from Objective.

Open in Navigator

Double click on the attachment

Open in ECM for Browser

<https://objective.act.gov.au:8443/#/documents/qA706324/details>

Open in Your Browser

<https://objective.act.gov.au/id:qA706324>

Alieva, Daria

From: Rutledge, Geoffrey
Sent: Friday, 4 May 2018 12:08 AM
To: EPSD Government Services
Cc: EPSDD Ministerials and Corro Executive Office
Subject: RE: For DDG Clearance: 18/08960 : Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]

Approved to go.
(I removed one attachment)

-----Original Message-----

From: EPSD Government Services
Sent: Thursday, 3 May 2018 5:13 PM
To: Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>
Subject: For DDG Clearance: 18/08960 : Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]
Importance: High

Hi Geoffrey,

For your clearance please.

Thanks

Laura

-----Original Message-----

From: Round, Jessica
Sent: Thursday, 3 May 2018 11:50 AM
To: EPSD Government Services <EPSDGovernmentServices@act.gov.au>
Cc: Ereat, Emma <Emma.Ereat@act.gov.au>; Priestley, James <James.Priestley@act.gov.au>
Subject: FOR QA: Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]
Importance: High

Good morning GS,

Please find attached amended brief for your QA and clearance through DDG Rutledge.

Please note there is a significantly tight timeline on this, if you have any questions around this timeline - I have copied in the action officers.

Please let me know if you need anything further,

Kind regards
Jess

Jessica Round | Executive Assistant
Phone: 02 6205 4887 | Email: Jessica.Round@act.gov.au Climate Change and Sustainability | Environment, Planning and Sustainable Development Directorate | ACT Government Level 2 North Dame Pattie Menzie House, 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au | www.planning.act.gov.au

-----Original Message-----

From: Ereaut, Emma

Sent: Thursday, 3 May 2018 10:44 AM

To: Round, Jessica <Jessica.Round@act.gov.au>

Cc: Priestley, James <James.Priestley@act.gov.au>

Subject: FW: FOR ACTION: Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]

Hi Jess,

I'm just writing to confirm this brief has been edited down as requested, and Dan has now cleared the updated version,

Kind regards

Emma Ereaut | Senior Policy Officer, Renewable Energy p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | ACT Government Dame Pattie Menzies House 16
Challis Street Dickson | GPO Box 158 Canberra ACT 2601

-----Original Message-----

From: Round, Jessica

Sent: Wednesday, 2 May 2018 7:56 AM

To: Ereaut, Emma <Emma.Ereaut@act.gov.au>

Subject: FOR ACTION: Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]

Hi Emma,

Please see below email from Gov Services. Can this brief please be amended accordingly and then it will need to go back through Dan for clearance.

Many Thanks,
Jess

Jessica Round | Executive Assistant

Phone: 02 6205 4887 | Email: Jessica.Round@act.gov.au Climate Change and Sustainability | Environment, Planning and Sustainable Development Directorate | ACT Government Level 2 North Dame Pattie Menzie House, 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au | www.planning.act.gov.au

-----Original Message-----

From: EPSD Government Services

Sent: Tuesday, 1 May 2018 5:37 PM

To: Round, Jessica <Jessica.Round@act.gov.au>

Cc: EPSD Government Services <EPSDGovernmentServices@act.gov.au>

Subject: Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]

Hi Jess - can this one please go back to the action officer to reduce the length of the brief to two pages (plus recommendation page)? Anything detailed should be placed into an attachment please.

The two-page brief requirement is a direction from the DG Office.

Thank you,

Laura

-----Original Message-----

From: EPSD Government Services

Sent: Tuesday, 1 May 2018 12:11 PM

To: Ereaut, Emma <Emma.Ereaut@act.gov.au>; EPSD Government Services <EPSDGovernmentServices@act.gov.au>

Subject: FW: Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]

Thanks Emma - all you need to remember is the EPSD Gov Services email for anything for us - have forwarded through so this is only FYI only Thanks Lisa

-----Original Message-----

From: Ereaut, Emma

Sent: Tuesday, 1 May 2018 11:54 AM

To: Sampson, Lisa <Lisa.Sampson@act.gov.au>

Subject: Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]

Good morning Lisa

The attached brief on TRIM has been cleared by Daniel Harding, would you please progress it for clearance to Geoffrey Rutledge, Ben Ponton and to the Minister's Office?

Please let me know if you need any further information, or if there is a general Government Services email address I should send this to (apologies, I am still quite new to EPSDD),

Kind regards

Emma Ereaut | Senior Policy Officer, Renewable Energy p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | ACT Government Dame Pattie Menzies House 16
Challis Street Dickson | GPO Box 158 Canberra ACT 2601

Emma Ereaut has sent you a link to "18/08960 - Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act 2008" (qA706324) from Objective.

Open in Navigator

Double click on the attachment

Open in ECM for Browser

<https://objective.act.gov.au:8443/#/documents/qA706324/details>

Open in Your Browser

<https://objective.act.gov.au/id:qA706324>




ACT
Government

Environment, Planning and
Sustainable Development

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BRIEF

To: Director-General  Tracking No.: 18/13025

From: Deputy Director-General, Sustainability and the Built Environment
A/g Director, Energy Markets and Renewables

Date: 16 May 2018

Subject: Letter to Evoenergy seeking a meeting to discuss data audit

Critical Date: In the normal course of business

Critical Reason: N/A

Purpose

To seek your approval of a letter to Evoenergy, requesting a meeting to discuss concerns with the data it provides in relation to the Small and Medium-scale Feed-in Tariff scheme.

Recommendations

That you:

1. **Agree** to and sign the letter at Attachment A; and

~~Agreed / Not Agreed / Please Discuss~~

2. **Note** the talking points at Attachment B.

~~Noted / Please Discuss~~

Ben Ponton 

21/5/18

DG Feedback

Ben,
I understand you have
spoken to Kieran.
Let's catch up this week
to finalise
Geoffrey.
✓ Thanks



ACT
Government

Environment, Planning and
Sustainable Development

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BRIEF

To:	Director-General	Tracking No.: 18/13025
From:	Deputy Director-General, Sustainability and the Built Environment A/g Director, Energy Markets and Renewables	
Date	16 May 2018	
Subject:	Letter to Evoenergy seeking a meeting to discuss data audit	
Critical Date:	In the normal course of business	
Critical Reason:	N/A	

Purpose

To seek your approval of a letter to Evoenergy, requesting a meeting to discuss concerns with the data it provides in relation to the Small and Medium-scale Feed-in Tariff scheme.

Recommendations

That you:

1. **Agree** to and sign the letter at Attachment A; and

Agreed / Not Agreed / Please Discuss

2. **Note** the talking points at Attachment B.

Noted / Please Discuss

Ben Ponton/...../.....

DG Feedback

Background

1. In brief 18/08960, the Minister agreed to require Evoenergy to perform an audit of the data it has provided to the Environment, Planning and Sustainable Development Directorate (EPSDD) under the *Electricity Feed-in (Renewable Energy Premium) Act 2008* (the Act), for the purpose of reporting on the Small and Medium-Scale Feed-in Tariff (FiT) scheme. The signed brief is provided at Attachment C.

Issues

2. A letter has been prepared for you to request a meeting with Evoenergy to discuss EPSDD's concerns in relation to the FiT scheme data. The letter is provided at Attachment A.
3. Talking points have also been prepared for the meeting, and are provided at Attachment B.

Financial Implications

4. There are no financial implications associated with this brief. Under section 11C of the Act, Evoenergy is required to pay for the audit to be conducted.

Consultation

Internal

5. No internal consultation was necessary for this brief.

Cross Directorate

6. No cross-directorate consultation was necessary for this brief.

External

7. No external consultation was necessary for this brief.

Benefits/Sensitivities

8. Requesting that Evoenergy conduct an audit of its data, at its own expense, has the potential to negatively impact the working relationship between EPSDD and Evoenergy. However, this will be managed by EPSDD taking a collaborative and transparent approach to the process.

Media Implications

9. Triggering an audit of Evoenergy's data has the potential to generate media attention. As such, a communications plan has been prepared and is included with the Ministerial brief at Attachment C.

Signatory Name:	James Priestley	Phone:	72092
Action Officer:	Emma Ereaut	Phone:	77901



ACT
Government

Environment, Planning and
Sustainable Development

Mr Michael Costello AO
Chief Executive Officer
ActewAGL
40 Bunda Street
CANBERRA ACT 2600

Dear Mr Costello

Small and medium-scale Feed-in Tariff scheme data

The ACT Government's Small and Medium-scale Feed-in Tariff (FiT) scheme has been key to promoting the uptake of renewable electricity generation in the Territory over the past decade. Following the 31 December 2016 cut-off date for generator installation there were 10,394 approved generators under the scheme, producing 40,355 MWh in 2016-17. As the administrator of the scheme, Evoenergy has had a significant role in the success of the scheme, and continued cooperation between the ACT Government and Evoenergy is critical to its ongoing effectiveness. Given the success of the scheme, the ACT Government wishes to maintain consumer confidence in its operation.

As such, it is important that we provide the community with regular, accurate reports on the scheme's progress and its contribution to the ACT's energy supply. Under Part 3A of the *Electricity Feed-in (Renewable Energy Premium) Act 2008*, there are annual reporting requirements associated with the scheme and Evoenergy, as the administrator of the scheme must provide information to meet these reporting requirements. As you may be aware, in recent years the Environment, Planning and Sustainable Development Directorate (EPSDD) has had some concerns regarding the quality of data provided by Evoenergy.

My predecessor, Ms Dorte Ekelund, wrote to you in January 2016 to outline these concerns. Positive efforts were made by ActewAGL Distribution staff to address the issues raised, however, the recent annual reporting process for the 2016-17 Annual Feed-in Tariff Report has identified continuing concerns about Evoenergy's data management and administration of the Small and Medium-scale FiT scheme. As such, I would like to arrange a meeting to discuss a way forward that will enable us to meet the legislative requirements for the scheme, and to ensure consumers are provided with reports that are complete and correct.

Staff from my office will be in contact soon to arrange a convenient time to meet.
Should you have any questions in the meantime, please contact Mr Geoffrey Rutledge,
Deputy Director-General, Sustainability and the Built Environment, on (02) 6207 5001
or via email at Geoffrey.Rutledge@act.gov.au.

Yours sincerely



Ben Ponton
Director-General

21 May 2018



ACT
Government

Environment, Planning and
Sustainable Development

**TALKING POINTS
MEETING WITH EVOENERGY TO
DISCUSS AUDIT**

TALKING POINTS FOR MEETING WITH EVOENERGY TO DISCUSS DATA AUDIT

- Under section 11B of the *Electricity Feed-in (Renewable Energy Premium) Act 2008* (the Act) the electricity distributor (Evoenergy) must give the Minister the information required to produce reports on the ACT's small and medium-scale feed-in tariff (FiT) scheme.
- These reports are crucial to ensuring that the FiT scheme is continuing to operate efficiently and effectively, and to maintaining public confidence in the operation of the scheme.
- Under section 11C of the Act, the Minister may require a reporting entity (including Evoenergy) to undertake an audit of the information provided under section 11B if the Minister believes on reasonable grounds the information is untrue, misleading or incomplete.
- There have been instances of the data from Evoenergy being provided late, and of inconsistencies between Evoenergy's data and that provided by electricity retailers.
- EPSDD's concerns were raised with Evoenergy, then ActewAGL Distribution, in January 2016. There have been numerous other representations made to Evoenergy to address these concerns, and to date EPSDD does not believe they have been appropriately addressed.
- EPSDD is concerned that unreliable data has the potential to undermine public confidence in the small and medium-scale FiT scheme. Potential impacts of inaccurate data also include incorrect payments being made to FiT generators, over-recovery from other electricity consumers, and uncertainty about capacity and generation leading to impacts on grid integrity.
- Under section 11C of the Act, the Minister may appoint the auditor, and Evoenergy is required to pay for the audit. EPSDD proposes to consult with Evoenergy in selecting an auditor, and to work collaboratively with Evoenergy in establishing a Terms of Reference for the audit.
- EPSDD intends to work collaboratively and transparently with Evoenergy throughout the process.

Approved by: Daniel Harding

17 May 2018

Alieva, Daria

From: Ereat, Emma
Sent: Thursday, 17 May 2018 4:39 PM
To: EPSD Government Services
Cc: Round, Jessica
Subject: 18/13025 - DG Corro to Michael Costello - FiT Audit (qA710413) [SEC=UNCLASSIFIED]
Attachments: 18_13025 - DG Corro to Michael Costello - FiT Audit.obr

Categories: Maeve

Good afternoon,

The brief at the attached link has been cleared by Dan Harding.

Would you please progress it through the approvals process?

Kind regards

Emma Ereat | Senior Policy Officer, Renewable Energy p (02) 6207 7901 | e emma.ereat@act.gov.au
Environment, Planning and Sustainable Development Directorate | ACT Government Dame Pattie Menzies House 16
Challis Street Dickson | GPO Box 158 Canberra ACT 2601

Emma Ereat has sent you a link to "18/13025 - DG Corro to Michael Costello - FiT Audit" (qA710413) from Objective.

Open in Navigator
Double click on the attachment

Open in ECM for Browser
<https://objective.act.gov.au:8443/#/documents/qA710413/details>

Open in Your Browser
<https://objective.act.gov.au/id:qA710413>

Alieva, Daria

From: EPSD Government Services
Sent: Friday, 18 May 2018 10:15 AM
To: EPSD Government Services
Subject: QA CLEARED - 18/13025 - DG Corro to Michael Costello - FiT Audit [SEC=UNCLASSIFIED]
Attachments: 18_13025 - DG Corro to Michael Costello - FiT Audit.obr

Categories: Maeve

Hi Maeve

Please progress.

Thanks
Patti

-----Original Message-----

From: EPSD Government Services
Sent: Thursday, 17 May 2018 4:44 PM
To: EPSD Government Services <EPSDGovernmentServices@act.gov.au>
Subject: FOR QA CLEARANCE - 18/13025 - DG Corro to Michael Costello - FiT Audit [SEC=UNCLASSIFIED]

Hi all,

DG brief for QA clearance please.

Thanks,
Maeve

-----Original Message-----

From: Ereaut, Emma
Sent: Thursday, 17 May 2018 4:39 PM
To: EPSD Government Services <EPSDGovernmentServices@act.gov.au>
Cc: Round, Jessica <Jessica.Round@act.gov.au>
Subject: 18/13025 - DG Corro to Michael Costello - FiT Audit (qA710413) [SEC=UNCLASSIFIED]

Good afternoon,

The brief at the attached link has been cleared by Dan Harding.

Would you please progress it through the approvals process?

Kind regards

Emma Ereaut | Senior Policy Officer, Renewable Energy p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | ACT Government Dame Pattie Menzies House 16
Challis Street Dickson | GPO Box 158 Canberra ACT 2601

Emma Ereaut has sent you a link to "18/13025 - DG Corro to Michael Costello - FiT Audit" (qA710413) from Objective.

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Double click on the attachment

Open in ECM for Browser
<https://objective.act.gov.au:8443/#/documents/qA710413/details>

Open in Your Browser
<https://objective.act.gov.au/id:qA710413>

Alieva, Daria

From: EPSD Government Services
Sent: Wednesday, 23 May 2018 3:04 PM
To: Emma.Ereaut@act.gov.au
Subject: For information - DG signed brief - 18/13025 - DG Corro to Michael Costello - FiT Audit [DLM=For-Official-Use-Only]
Attachments: Signed brief.obr

Good afternoon Emma,

For your information, please see attached brief which has been signed by the DG. The letter has also been sent to Evoenergy.

Thanks,
Maeve

Maeve Bannister | Ministerial Liaison Officer | ☎ ext 51749
Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House, Challis Street, Dickson GPO Box 158 Canberra ACT 2601

Alieva, Daria

From: EPSD Government Services
Sent: Friday, 29 June 2018 1:07 PM
To: Priestley, James
Cc: Hartwig, Tasha; Round, Jessica
Subject: FW: 18/17677 - DG Brief - Explanatory Statement for the FiT Audit Determination (qA715077)
[SEC=UNCLASSIFIED]
Attachments: 18_17677 - DG Brief - Explanatory Statement for the FiT Audit Determination.obr

Thanks James

Please address the brief to Minister Rattenbury and make the necessary changes, seeking him to note the explanatory statement and date the instrument which was sent in 18/08960. Once we receive the instrument & ES it can then be lodged with PCO.

Cara

-----Original Message-----

From: Ereaut, Emma
Sent: Thursday, 28 June 2018 3:50 PM
To: EPSD Government Services <EPSDGovernmentServices@act.gov.au>
Cc: Round, Jessica <Jessica.Round@act.gov.au>
Subject: 18/17677 - DG Brief - Explanatory Statement for the FiT Audit Determination (qA715077)
[SEC=UNCLASSIFIED]

Good afternoon,

Please find attached a link to a DG brief, as cleared by Daniel Harding.

Would you please progress the approvals for this one?

Kind regards

Emma Ereaut | Senior Policy Officer, Renewable Energy p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | ACT Government Dame Pattie Menzies House 16
Challis Street Dickson | GPO Box 158 Canberra ACT 2601

Emma Ereaut has sent you a link to "18/17677 - DG Brief - Explanatory Statement for the FiT Audit Determination" (qA715077) from Objective.

Open in Navigator
Double click on the attachment

Open in ECM for Browser
<https://objective.act.gov.au:8443/#/documents/qA715077/details>

Open in Your Browser
<https://objective.act.gov.au/id:qA715077>

**Environment, Planning and Sustainable
Development Directorate**

UNCLASSIFIED

To: Minister for Climate Change and
Sustainability

Tracking No.: 18/17677

09 JUL 2018

Date: 03/07/2018

From: Director-General
Deputy Director-General, Sustainability and the Built Environment
A/g Director, Energy Markets and Renewables

Subject: Explanatory Statement for the Feed-in Tariff scheme data audit
determination

Critical Date: 20/07/2018

Critical Reason: To allow for the timely commencement of the audit

Purpose

To seek your approval of the explanatory statement for the *Electricity Feed-in (Audit of Information) Determination 2018 (No 1)*, which will require Evoenergy to conduct an audit of data provided for reporting on the Small and Medium-scale Feed-in Tariff Scheme.

Recommendations

That you:

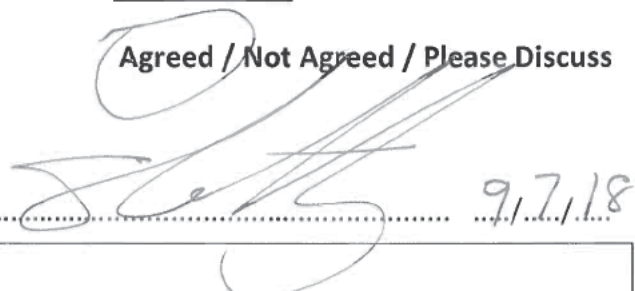
1. **Agree** to the explanatory statement at Attachment A; and

Agreed / Not Agreed / Please Discuss

2. **Agree** to date the disallowable instrument at Attachment B.

Agreed / Not Agreed / Please Discuss

Shane Rattenbury MLA



9.7.18

Minister's Office Feedback

UNCLASSIFIED

Background

1. The *Electricity Feed-in (Renewable Energy Premium) Act 2008* (the Act) establishes the ACT's Small and Medium-scale Feed-in Tariff (FiT) Scheme. The electricity distributor, Evoenergy, is the scheme's administrator and is required under the Act to provide data to the Environment, Planning and Sustainable Development Directorate (EPSDD) for reporting purposes.
2. Ongoing inconsistencies in the data provided by Evoenergy raised questions about the reliability and accuracy of the information being collected under the scheme. As such, you have requested an audit of the data provided by Evoenergy for the purposes of the FiT Scheme (18/08960).
3. Under section 11C of the Act, the audit must be undertaken in accordance with requirements determined by you, and a determination is a disallowable instrument.

Issues

4. On 21 June 2018, EPSDD representatives met with Michael Costello, CEO of Evoenergy, and advised of your request for an audit under section 11C of the Act. At this meeting, it was agreed to proceed with the audit.
5. In order to commence the audit, a determination and explanatory statement must be notified on the ACT Legislation Register. An explanatory statement is provided for your agreement at [Attachment A](#). A copy of the *Electricity Feed-in (Audit of Information) Determination 2018 (No 1)*, signed by you, is provided at [Attachment B](#). We have been advised that the Disallowable Instrument must also be dated before it can be notified.

Financial Implications

6. There are no financial implications associated with this brief. Under section 11C of the Act, the audit must be paid for by Evoenergy.

Consultation

Internal

7. The EPSDD Assurance and Legal team provided the content for the explanatory statement.

Cross Directorate

8. No cross-directorate consultation was required for this brief.

External

9. Evoenergy has been advised of your request to conduct an audit.

Benefits/Sensitivities

10. Requesting that Evoenergy conduct an audit of the Act, at its own expense, may negatively impact the working relationship between EPSDD and Evoenergy. However, this will be managed by EPSDD taking a collaborative and transparent approach to the process.

Media Implications

11. Initiating an audit of Evoenergy's data is likely to raise questions about the scheme and its effective management. As such, a communications plan was prepared and agreed to by you as part of brief 18/08960

Signatory Name: James Priestley [REDACTED] Phone: 72092
Action Officer: Emma Ereaut [REDACTED] Phone: 77901

Attachments

Attachment	Title
Attachment A	Explanatory statement
Attachment B	Disallowable instrument

Electricity Feed-in (Audit of Information) Determination 2018 (No 1)

Disallowable instrument DI2018- 215

made under the

Electricity Feed-in (Renewable Energy Premium) Act 2008, s11C (Audit of information given to Minister)

1 Name of instrument

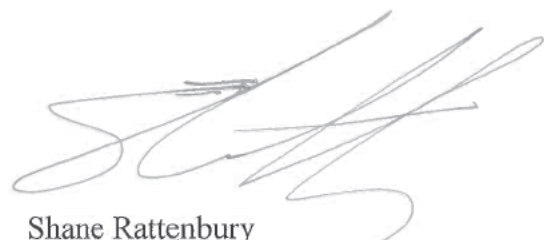
This instrument is the *Electricity Feed-in (Audit of Information) Determination 2018 (No 1)*.

2 Commencement

This instrument commences on the day after its notification day.

3 Audit of information

I determine as follows. I require an audit of the required information provided by the electricity distributor under section 11B of the *Electricity Feed-in (Renewable Energy Premium) Act 2008*.



Shane Rattenbury
Minister for Climate Change and Sustainability

9/7/18

Australian Capital Territory

Electricity Feed-in (Audit of Information) Determination 2018 (No 1)

Disallowable instrument DI2018- 215

made under the

Electricity Feed-in (Renewable Energy Premium) Act 2008, s11C (Audit of information given to Minister)

EXPLANATORY STATEMENT

Under section 11C of the *Electricity Feed-in (Renewable Energy Premium) Act 2008* (the Act), the Minister may require a reporting entity to undertake an audit of the information provided by the reporting entity under section 11B, if the Minister believes on reasonable grounds the information is untrue, misleading or incomplete.

Section 11C requires that the audit must be paid for by the reporting entity, undertaken by an auditor appointed by the Minister or, if the Minister decides not to appoint an auditor, an auditor that is independent of the reporting entity, and undertaken in accordance with requirements determined by the Minister.

The reporting entity provides data to the Environment, Planning and Sustainable Development Directorate under the Act. The Directorate has raised a number of concerns about the data with the reporting entity, however the quality of the data has not sufficiently improved, and an audit is proposed. The Directorate will work collaboratively with the reporting entity to establish terms of reference for the audit.

This audit will benefit the industry and does not impose any costs on the community, therefore a Regulatory Impact Statement is not required.

Clause 1

This clause names this instrument.

Clause 2

This clause provides for date of commencement.

Clause 3

This clause provides that the Minister requires an audit of information provided by the electricity distributor.

**Environment, Planning and Sustainable
Development Directorate**

FOR OFFICIAL USE ONLY

To: Minister for Climate Change and
Sustainability

Tracking No.: 18/22559

Date: 26 September 2018 (resubmitted 30 January
2019)

From: Executive Director, Climate Change and Sustainability

Subject: Letter to Evoenergy and Terms of Reference regarding Small and Medium-
scale Feed-in Tariff scheme data audit

Critical Date: 26 October 2018

Critical Reason: To enable timely commencement of the audit process.

- DG .../.../...
- a/g DDG, Sustainability and the Built Environment .../.../...

Purpose

To seek your agreement to the Terms of Reference (ToR) for an audit of the data provided by Evoenergy for the Small and Medium-scale Feed-in Tariff Scheme, an instrument for notification of the ToR, and a letter to Michael Costello, CEO of Evoenergy, to formally request the audit.

Recommendations

That you:

1. **Agree** to the Terms of Reference at Attachment A;

Agreed / Not Agreed / Please Discuss

2. **Sign** the Disallowable Instrument at Attachment B;

Signed / Not Signed / Please Discuss

3. **Note** the Explanatory Statement at Attachment C;

Noted / Please Discuss

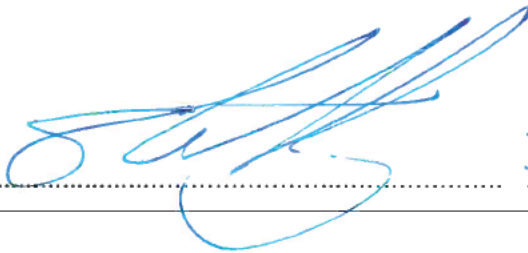
4. **Sign** the letter at Attachment D; and

Signed / Not Signed / Please Discuss

5. **Agree** that EPSDD commence a procurement process and appoint an auditor.

Agreed / Not Agreed / Please Discuss

Shane Rattenbury MLA



3/1/19

Minister's Office Feedback

Background

1. In brief 18/08960, provided at [Attachment E](#), you agreed to request an audit of the data Evoenergy has provided for reporting on the Small and Medium-scale Feed-in Tariff (FiT) scheme. Evoenergy is required to provide this information under section 11B of the *Electricity Feed-in (Renewable Energy Premium) Act 2008* (the Act).

Issues

2. Representatives of the Environment, Planning and Sustainable Development Directorate (EPSDD) met with the Chief Executive Officer of Evoenergy, Mr Michael Costello, on 21 June 2018 to discuss the requirement for an audit. At this meeting, Mr Costello indicated agreement to conduct the audit.
3. Terms of Reference (ToR) have been developed for the audit in consultation with Evoenergy, and are provided at [Attachment A](#).
4. Advice received from the Parliamentary Counsel's Office (PCO) on 3 August 2018 indicated that the audit determination instrument provided in brief 18/08960 did not meet the requirements of section 11C of the Act; the previous instrument was drafted to require the audit to occur, however, under the legislation the instrument must outline the requirements for the audit.
5. On this advice, a new instrument has been prepared and is provided at [Attachment B](#). The new instrument includes the ToR for the audit in an attached schedule, as the ToR outlines the audit requirements. An Explanatory Statement for the instrument is provided at [Attachment C](#).
6. PCO also indicated that a formal letter should also be provided to Evoenergy to advise of the audit request. A letter is provided at [Attachment D](#). Should you agree, the ToR will be provided to Evoenergy as an attachment to the letter.
7. Under section 11C of the Act, you may appoint an auditor to conduct the audit. Should you agree, EPSDD will commence a procurement process and appoint an auditor.

Financial Implications

8. There are no financial implications associated with this brief. Under section 11C of the Act, Evoenergy is required to pay for the audit to be conducted.

Consultation

Internal

9. EPSDD Legal Services has been consulted in developing the instrument at [Attachment B](#) and the Explanatory Statement at [Attachment C](#). Legal Services has also consulted with the Parliamentary Counsel's Office on the content of this instrument.
10. EPSDD Audit and Risk has been consulted in developing the ToR at [Attachment A](#).

Cross Directorate

11. No cross-directorate consultation was required for this brief.

External

12. Evoenergy has been consulted on the ToR at [Attachment A](#).

Benefits/Sensitivities

13. Requesting that Evoenergy conduct an audit of its data, at its own expense, has the potential to negatively impact the working relationship between EPSDD and Evoenergy. However, this will be managed by EPSDD taking a collaborative and transparent approach to the process.

Media Implications

14. Triggering an audit of Evoenergy’s data has the potential to generate media attention. As such, a communications plan was prepared and provided with brief 18/08960 and is provided at Attachment F.

Signatory Name: James Priestley Phone: 72092
Action Officer: Emma Ereaut Phone: 77901

Attachments

Attachment	Title
Attachment A	Audit Terms of Reference
Attachment B	Disallowable Instrument – Audit Terms of Reference
Attachment C	Explanatory Statement – Audit Terms of Reference
Attachment D	Letter to Michael Costello, CEO of Evoenergy
Attachment E	Copy of brief 18/08960
Attachment F	Communications Plan as attached to brief 18/08960

Electricity Feed-in (Renewable Energy Premium) Requirements of Audit Determination 2019

Disallowable instrument DI2019–

made under the

Electricity Feed-in (Renewable Energy Premium) Act 2008, s11C (Audit of information given to Minister)

1 Name of instrument

This instrument is the *Electricity Feed-in (Renewable Energy Premium) Requirements of Audit Determination 2019*.

2 Commencement

This instrument commences on the day after its notification day.

3 Audit of information

I determine that an audit of information provided by the electricity distributor under section 11B of the *Electricity Feed-in (Renewable Energy Premium) Act 2008* will be undertaken in accordance with the requirements outlined at Schedule 1.



Shane Rattenbury MLA
Minister for Climate Change and Sustainability

3/ January 2019



Shane Rattenbury MLA

Minister for Climate Change and Sustainability
Minister for Corrections and Justice Health
Minister for Justice, Consumer Affairs and Road Safety
Minister for Mental Health
Member for Kurrajong

18/22559

Mr John Knox AO
Chief Executive Officer
Evoenergy
GPO Box 366
Canberra ACT 2601

John

Dear Mr Knox

The ACT Government's Small and Medium-scale Feed-in Tariff (FIT) scheme has been key to promoting the uptake of renewable electricity generation in the Territory over the past decade. As the administrator of the scheme, Evoenergy has had a significant role in the success of the scheme, and continued cooperation between the ACT Government and Evoenergy is critical to its ongoing effectiveness. To maintain consumer confidence in the scheme's operation, it is important that the community are provided with regular, accurate reports on the scheme's progress and its contribution to the ACT's energy supply. Under Part 3A of the *Electricity Feed-in (Renewable Energy Premium) Act 2008* (the Act), there are annual reporting requirements that Evoenergy must provide information for.

As you may be aware, in recent years the Environment, Planning and Sustainable Development Directorate (EPSDD) has had some concerns regarding the quality of data provided by Evoenergy. Positive efforts were made by ActewAGL Distribution staff to address the issues raised, however, the recent annual reporting process for the 2016-17 Annual Feed-in Tariff Report has identified continuing concerns about Evoenergy's data management and administration of the Small and Medium-scale FIT scheme. I am informed that this was communicated to Mr Michael Costello, during a meeting with EPSDD officials on 21 June 2018.

As such, I write to inform you that I have decided to instigate an audit of the data under section 11C of the Act. Please find attached Terms of Reference for the audit, which have been developed in consultation with Evoenergy officials. Staff from the EPSDD Energy Policy team will be in contact with Evoenergy officials to arrange a time to meet to discuss the process in more detail. Should you have any questions in the meantime, please contact Mr James Priestley, Acting Manager, Energy Policy, on (02) 6207 2092 or via email at James.Priestley@act.gov.au.

Yours sincerely

Shane Rattenbury MLA
Minister for Climate Change and Sustainability

7 NOV 2018

ACT Legislative Assembly

London Circuit, Canberra ACT 2601, Australia GPO Box 1020, Canberra ACT 2601, Australia
Phone +61 2 6205 0005 Email rattenbury@act.gov.au



@shanerattenburymla



ShaneRattenbury



shanerattenbury



Alieva, Daria

From: Ives, Kieran
Sent: Tuesday, 23 October 2018 1:51 PM
To: EPSD Government Services
Subject: FW: FOR DDG CLEARANCE - 18/22559 - Ministerial Information Brief - FiT Audit Request (qA719964) [SEC=UNCLASSIFIED]

Categories: Cara

Hi Can you please progress to MO.

Kind regards
Kieran

Kieran Ives | Executive Officer to Deputy Directors-General Environment, Planning and Sustainable Development Directorate | ACT Government
Phone: (02) 6205 9095 | Email: kieran.ives@act.gov.au Level 3 Dame Pattie Menzies House, 16 Challis Street, Dickson, ACT | GPO Box 158, Canberra 2601

-----Original Message-----

From: Phillips, Brett
Sent: Tuesday, 23 October 2018 1:34 PM
To: Ives, Kieran <Kieran.Ives@act.gov.au>
Subject: RE: FOR DDG CLEARANCE - 18/22559 - Ministerial Information Brief - FiT Audit Request (qA719964) [SEC=UNCLASSIFIED]

Hi Kieran

Apologies for overlooking. Good to go

Cheers
Brett

-----Original Message-----

From: Ives, Kieran
Sent: Tuesday, 23 October 2018 12:38 PM
To: Phillips, Brett <Brett.Phillips@act.gov.au>
Subject: RE: FOR DDG CLEARANCE - 18/22559 - Ministerial Information Brief - FiT Audit Request (qA719964) [SEC=UNCLASSIFIED]

Hi Brett - just following up on this one.

Can this progress to MO?

Kind regards
Kieran

-----Original Message-----

From: Ives, Kieran

Sent: Tuesday, 2 October 2018 5:51 PM

To: Phillips, Brett <Brett.Phillips@act.gov.au>

Subject: FW: FOR DDG CLEARANCE - 18/22559 - Ministerial Information Brief - FiT Audit Request (qA719964) [SEC=UNCLASSIFIED]

Hi Brett

For your review and clearance.

You may like to provide to ben for review too.

This seeks the minister's (Rattenbury) agreement to the FiT audit ToRs.

Kind regards

Kieran

Kieran Ives | Executive Officer to Deputy Directors-General Environment, Planning and Sustainable Development Directorate | ACT Government

Phone: (02) 6205 9095 | Email: kieran.ives@act.gov.au Level 3 Dame Pattie Menzies House, 16 Challis Street, Dickson, ACT | GPO Box 158, Canberra 2601

-----Original Message-----

From: EPSD Government Services

Sent: Thursday, 27 September 2018 4:30 PM

To: Ives, Kieran <Kieran.Ives@act.gov.au>

Cc: EPSDD Ministerials and Corro Executive Office <EPSDDMinisterialsandCorroExecutiveOffice@act.gov.au>

Subject: FOR DDG CLEARANCE - 18/22559 - Ministerial Information Brief - FiT Audit Request (qA719964) [SEC=UNCLASSIFIED]

Hi Kieran

QA'd ready for DDG, critical date is 12 October 2018 for Minister Rattenbury to sign.

Cara

-----Original Message-----

From: Anderson, Karley

Sent: Thursday, 27 September 2018 11:50 AM

To: EPSD Government Services <EPSDGovernmentServices@act.gov.au>

Subject: ED CLEARED - 18/22559 - Ministerial Information Brief - FiT Audit Request (qA719964) [SEC=UNCLASSIFIED]

Hi GS,

Gene has cleared the attached Ministerial.

Thanks

Karley

-----Original Message-----

From: McGlynn, Gene

Sent: Thursday, 27 September 2018 11:49 AM

To: Anderson, Karley <Karley.Anderson@act.gov.au>

Cc: Ereaut, Emma <Emma.Ereaut@act.gov.au>

Subject: RE: FOR CLEARANCE - 18/22559 - Ministerial Information Brief - FiT Audit Request (qA719964)
[SEC=UNCLASSIFIED]

Hi Karley,

This one is good to go as well.

Gene

Thanks again, Emma.

Gene

-----Original Message-----

From: Anderson, Karley

Sent: Thursday, 27 September 2018 9:41 AM

To: McGlynn, Gene <Gene.McGlynn@act.gov.au>

Subject: FOR CLEARANCE - 18/22559 - Ministerial Information Brief - FiT Audit Request (qA719964)

[SEC=UNCLASSIFIED]

Hi Gene,

Please see the attached information brief for your clearance.

From memory, this is the one that went back to the team for changes?

Thanks

Karley

-----Original Message-----

From: Ereaut, Emma

Sent: Wednesday, 26 September 2018 12:06 PM

To: Anderson, Karley <Karley.Anderson@act.gov.au>

Subject: 18/22559 - Ministerial Information Brief - FiT Audit Request (qA719964) [SEC=UNCLASSIFIED]

Hi Karley,

Please find attached a Min brief on the FiT audit request, as cleared by Daniel Harding.

Would you please progress this to Gene for review?

Kind regards

Emma Ereaut | A/g Manager | Energy Policy p (02) 6207 7901 | e emma.ereaut@act.gov.au Environment, Planning and Sustainable Development Directorate | ACT Government Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

Emma Ereaut has sent you a link to "18/22559 - Ministerial Information Brief - FiT Audit Request" (qA719964) from Objective.

Open in Navigator

Double click on the attachment

Open in ECM for Browser

<https://objective.act.gov.au:8443/#/documents/qA719964/details>

Open in Your Browser

<https://objective.act.gov.au/id:qA719964>

Alieva, Daria

From: Ereaut, Emma
Sent: Tuesday, 23 October 2018 2:55 PM
To: Weekes, Cara
Subject: Email address for FiT audit letter [SEC=UNCLASSIFIED]

Hi Cara,

Just following up, the email address for Michael Costello (for the FiT audit letter) is

[REDACTED]

James has suggested we post the letter as well as emailing it, but the MO may have a preference,

Kind regards

Emma Ereaut | Senior Policy Officer | Energy Policy

p (02) 6207 7901 | e emma.ereaut@act.gov.au

Environment, Planning and Sustainable Development Directorate | **ACT Government**

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

Alieva, Daria

From: Kingham, Amy
Sent: Tuesday, 18 September 2018 9:49 AM
To: Ereaut, Emma
Cc: Priestley, James
Subject: RE: For review - Ministerial Information Brief - FiT Audit Request [SEC=UNCLASSIFIED]

Hi Emma

Thanks for the brief, I have made some minor edits and comments in the documents.

Regards

Amy

Amy Kingham | Senior Legal Policy Officer Phone 02 6205 3398 | Email: amy.kingham@act.gov.au Governance, Compliance and Legal Services | Environment, Planning and Sustainable Development | ACT Government Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | www.environment.act.gov.au | www.planning.act.gov.au

-----Original Message-----

From: Ereaut, Emma
Sent: Tuesday, 18 September 2018 8:42 AM
To: EPSDLegalServices <EPSDLegalServices@act.gov.au>
Cc: Kingham, Amy <Amy.Kingham@act.gov.au>; Priestley, James <James.Priestley@act.gov.au>
Subject: For review - Ministerial Information Brief - FiT Audit Request [SEC=UNCLASSIFIED]

Good morning,

Please find attached Obj link to the briefing pack on the FiT Audit request.

Would you please review the instrument at Attachment B and the Explanatory Statement at Attachment C to ensure they have been prepared appropriately?

We will then progress clearance through our management and executive,

Kind regards

Emma Ereaut | Senior Policy Officer | Energy Policy p (02) 6207 7901 | e emma.ereaut@act.gov.au Environment, Planning and Sustainable Development Directorate | ACT Government Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

Emma Ereaut has sent you a link to "18/22559 - Ministerial Information Brief - FiT Audit Request" (qA719964) from Objective.

Open in Navigator

Double click on the attachment

Open in ECM for Browser

<https://objective.act.gov.au:8443/#/documents/qA719964/details>

Open in Your Browser

<https://objective.act.gov.au/id:qA719964>

Alieva, Daria

From: Stonham, Joshua
Sent: Tuesday, 25 September 2018 3:17 PM
To: EPSDLegalServices
Subject: RE: Review instrument - Electricity Feed-in (Renewable Energy Premium) Act 2008 [DLM=Sensitive: Legal]
Attachments: Att B - Disallowable Instrument for FiT audit.docx

Hi Amy,

I have attached a new version of the document for your approval.
I have turned track changes on so that you can see the changes I have made.
Otherwise it look good!

Regards,

Joshua Stonham | Legislation Officer
(02) 6205 7650
ACT Parliamentary Counsel's Office | Justice and Community Safety | ACT Government
Level 3, 12 Moore Street, Canberra City
act.legislation@register

Please note:

The information contained in this email is not legal advice and should not be relied on as legal advice. For formal legal advice for your particular circumstances please contact a legal practitioner.



Please consider the environment before printing this email.

From: EPSDLegalServices
Sent: Tuesday, 25 September 2018 10:18 AM
To: Stonham, Joshua <Joshua.Stonham@act.gov.au>
Subject: Review instrument - Electricity Feed-in (Renewable Energy Premium) Act 2008 [DLM=Sensitive: Legal]

Hi Josh

Could you please review the attached instrument under the *Electricity Feed-in (Renewable Energy Premium) Act 2008*? This is the one where we drafted a previous instrument but it referenced section 11C(1) instead of 11C(2)(c).

Thanks
Amy

Amy Kingham | Senior Legal Policy Officer
Phone 02 6205 3398 | Email: amy.kingham@act.gov.au
Governance, Compliance and Legal Services | Environment, Planning and Sustainable Development | ACT Government
Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | www.environment.act.gov.au |
www.planning.act.gov.au

Alieva, Daria

From: Kingham, Amy
Sent: Tuesday, 22 January 2019 10:55 AM
To: Ereaut, Emma
Subject: RE: FiT audit brief documents [SEC=UNCLASSIFIED]
Attachments: Att B - Disallowable Instrument for FiT audit - Legal Services edits.docx; Att C - ES - Electricity Feed-in (Audit of Information) Determination 20....rtf

Hi Emma

Please see attached some minor edits to the DI and ES, for your consideration.

Regards
Amy

-----Original Message-----

From: Ereaut, Emma
Sent: Monday, 21 January 2019 2:49 PM
To: Kingham, Amy <Amy.Kingham@act.gov.au>; EPSDLegalServices <EPSDLegalServices@act.gov.au>
Subject: FiT audit brief documents [SEC=UNCLASSIFIED]

Hi Amy,

We have to send the FiT audit brief back up to the Minister's Office to be re-signed (just as unfortunately the signed brief was not filed last time).

Gov Services have asked me to check that the two attached documents, the disallowable instrument and the explanatory statement, are updated.

I've changed them to 2019 - are you able to please check them to make sure I haven't missed anything?

Kind regards

Emma Ereaut | Senior Policy Officer | Energy Policy p (02) 6207 7901 | e emma.ereaut@act.gov.au Environment, Planning and Sustainable Development Directorate | ACT Government Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

Emma Ereaut has sent you copies of the following 2 documents from Objective:
"Att B - Disallowable Instrument for FiT audit" (A16804088) v8.0 "Att C - ES - Electricity Feed-in (Audit of Information) Determination 2018" (A16804089) v6.0

Alieva, Daria

From: Kingham, Amy
Sent: Friday, 20 April 2018 3:56 PM
To: Ereaut, Emma
Subject: RE: Audit and Compliance framework for the Feed-in tariff scheme [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]
Attachments: DI - FiT audit - Legal Services edits (A15974775).rtf

Hi Emma

Please see attached some minor edits. Next step is to include this instrument as an attachment to your brief, with a recommendation for the Minister to sign it. Once it is signed, the Government Services team here can help with notifying the instrument.

Regards
Amy

Amy Kingham | Senior Legal Policy Officer
Phone 02 6205 3398 | Email: amy.kingham@act.gov.au
Governance, Compliance and Legal Services | Environment, Planning and Sustainable Development | ACT Government
Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | www.environment.act.gov.au |
www.planning.act.gov.au

From: Ereaut, Emma
Sent: Friday, 20 April 2018 9:56 AM
To: Kingham, Amy <Amy.Kingham@act.gov.au>
Subject: RE: Audit and Compliance framework for the Feed-in tariff scheme [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]

Hi Amy,

Thanks for your advice re. the disallowable instrument – please find a draft attached as discussed,

Kind regards

Emma Ereaut | Senior Policy Officer, Renewable Energy
p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

From: Ereaut, Emma
Sent: Thursday, 19 April 2018 4:20 PM
To: Kingham, Amy <Amy.Kingham@act.gov.au>
Subject: FW: Audit and Compliance framework for the Feed-in tariff scheme [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]

Good afternoon Amy,

I have recently joined the Energy Policy team and am working with James Priestley on the FiT audit and review project.

Could I please clarify how we go about preparing the disallowable instrument under section 11C, which outlines the requirements of the audit?

Also, we would like to discuss the Terms of Reference with Evoenergy once we have approval to conduct the audit – would there be any issue with that timeline?

Kind regards

Emma Ereaut | Senior Policy Officer, Renewable Energy
p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

From: Kingham, Amy
Sent: Wednesday, 28 February 2018 5:09 PM
To: Priestley, James <James.Priestley@act.gov.au>
Cc: Dunstan, David <David.Dunstan@act.gov.au>
Subject: RE: Audit and Compliance framework for the Feed-in tariff scheme [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]

Hi James

Thanks for the discussion this morning about reporting issues with Evo energy under the *Electricity Feed-in (Renewable Energy Premium) Act 2008*. Suggested next steps are as follows:

- Prepare a brief to the Minister on:
 - The reporting issues with Evo energy.
 - Steps taken by the team over a number of years to fix these issues.
 - Recommend the Minister require an audit under section 11C of the Act.
 - Propose terms of reference and timing for the audit.
- Consider consultation with Evo energy to inform them of the audit and timing.
- The findings of the audit will then inform the creation of an audit and compliance framework. If the audit finds the Act is deficient, then we could look at amending the Act. The preference is for the audit and compliance framework be a policy document to sit under the Act – this allows flexibility to amend for any future issues.
- Following the audit, you may also wish to consider a review of the operation of the Act by the Minister under section 13. This can happen more often than 5 yearly.
- Section 11C(3) of the Act says “A determination is a disallowable instrument”. There haven’t been any instruments made under this section so far, the Law Reform team can assist to draft this, if the Minister agrees to an audit.

Could you please send through a copy of the MOU or contract with Evo energy, if available.

Regards
Amy

Amy Kingham | Senior Legal Policy Officer
Phone 02 6205 3398 | Email: amy.kingham@act.gov.au
Governance, Compliance and Legal | Environment, Planning and Sustainable Development | ACT Government
Level 2 North, Dame Pattie Menzies House, 16 Challis Street, Dickson | www.environment.act.gov.au | www.planning.act.gov.au

From: Priestley, James
Sent: Wednesday, 21 February 2018 4:17 PM
To: EPSD Law Reform <EPSDLawReform@act.gov.au>
Cc: Jacomb, Phillipa <Phillipa.Jacomb@act.gov.au>
Subject: Audit and Compliance framework for the Feed-in tariff scheme [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]

Hi,

We are seeking some assistance with a potential audit and compliance framework for the small- and medium-scale FiT scheme. The background to this request is as follows:

- The small and medium feed-in tariff scheme is established by the *Electricity Feed-in (Renewable Energy Premium) Act 2008*. The Act contains review and reporting requirements.
- While executing annual reporting requirements, EPSDD became aware of significant data reporting and data quality issues with the schemes administrator, Evoenergy (formally ActewAGL Distribution).
- EPSDD intends to examine the case for a Minister-initiated audit of the reporting and administration capabilities of Evoenergy, which will possibly culminate in the establishment of an ongoing audit and compliance framework to ensure the effective administration of the scheme (which would likely require amendments to the Act).

EPSDD would like to discuss the implications of a Minister-initiated audit and the possible creation of an ongoing audit and compliance framework.

Thanks,
James

Dr. James Priestley | a/g Manager, Energy Policy
p + 61 2 6207 2092 | e james.priestley@act.gov.au | w <http://www.environment.act.gov.au/>
Energy Markets and Renewables | Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

Did you know: As part of our world leading climate targets, the ACT is committed to 100% renewable electricity by 2020 and carbon neutrality by 2050. Find out [more](#).

From: [Kingham, Amy](#)
To: [EPSD Government Services](#); [Ereaut, Emma](#); [Priestley, James](#)
Subject: RE: 18/17677 - Ministerial Information Brief - Explanatory Statement for the FiT Audit Determination (qA715077) [DLM=For-Official-Use-Only]
Date: Friday, 3 August 2018 3:42:00 PM

Hi all

I have sought clarification from PCO on this instrument and advise:

- The instrument as drafted is not required, as under section 11C(1) of the *Electricity Feed-in (Renewable Energy Premium) Act 2008* the Minister can require a reporting entity undertake an audit by instruction in writing (a letter) – an instrument is not required to effect this.
- We will need an instrument under section 11C(2)(c) of the Act. This disallowable instrument will set out the requirements for the audit, ie terms of reference.

Next steps for the Renewable Energy team:

- Finalise terms of reference for the audit.
- Prepare a brief to the Minister asking him to:
 - Sign a letter to the reporting entity requiring them to undertake an audit.
 - Sign the disallowable instrument which sets out the terms of reference (similar format to last time, change clause 3).
 - Note the explanatory statement (use same format as last time and update details).

Let me know if you have any questions.

Thanks
Amy

Amy Kingham | Senior Legal Policy Officer
Phone 02 6205 3398 | Email: amy.kingham@act.gov.au
Governance, Compliance and Legal Services | Environment, Planning and Sustainable Development | ACT Government
Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | www.environment.act.gov.au | www.planning.act.gov.au

From: EPSD Government Services
Sent: Tuesday, 31 July 2018 10:54 AM
To: Ereaut, Emma <Emma.Ereaut@act.gov.au>
Cc: Priestley, James <James.Priestley@act.gov.au>; Kingham, Amy <Amy.Kingham@act.gov.au>
Subject: RE: 18/17677 - Ministerial Information Brief - Explanatory Statement for the FiT Audit Determination (qA715077) [DLM=For-Official-Use-Only]

Hi Emma
Do you know where this DI is up to?
PCO called to follow up today.
Thanks

Tash

From: Ereaut, Emma
Sent: Tuesday, 17 July 2018 3:37 PM
To: EPSD Government Services <EPSDGovernmentServices@act.gov.au>
Cc: Priestley, James <James.Priestley@act.gov.au>
Subject: RE: 18/17677 - Ministerial Information Brief - Explanatory Statement for the FiT Audit Determination (qA715077) [DLM=For-Official-Use-Only]

Hi Lisa,

Thank you, I understand Legal are updating it so we will let you know when it's ready to go back up,

Kind regards

Emma Ereaut | Senior Policy Officer, Renewable Energy
p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

From: EPSD Government Services
Sent: Tuesday, 17 July 2018 3:26 PM
To: Ereaut, Emma <Emma.Ereaut@act.gov.au>
Cc: Priestley, James <James.Priestley@act.gov.au>; EPSD Government Services <EPSDGovernmentServices@act.gov.au>
Subject: RE: 18/17677 - Ministerial Information Brief - Explanatory Statement for the FiT Audit Determination (qA715077) [DLM=For-Official-Use-Only]

Hi Emma

I have just checked the lego register lodgement system – DI2018-215 was rejected because 'instrument does not meet provision of Act'
We'll wait to hear from you once it's been updated?

Lisa

From: Ereaut, Emma
Sent: Tuesday, 17 July 2018 12:53 PM
To: EPSD Government Services <EPSDGovernmentServices@act.gov.au>
Cc: Sampson, Lisa <Lisa.Sampson@act.gov.au>; Priestley, James <James.Priestley@act.gov.au>
Subject: RE: 18/17677 - Ministerial Information Brief - Explanatory Statement for the FiT Audit Determination (qA715077) [DLM=For-Official-Use-Only]

Good afternoon,

I've just spoken with Amy Kingham in Legal, and I understand PCO have recommended a small

change to the instrument for this – so we will likely have to have it updated and re-approved.

Is it possible to put notification of this on hold (if it isn't already?)

Kind regards

Emma Ereaut | Senior Policy Officer, Renewable Energy
p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

From: Ereaut, Emma
Sent: Monday, 16 July 2018 9:11 AM
To: EPSD Government Services <EPSDGovernmentServices@act.gov.au>
Subject: RE: 18/17677 - Ministerial Information Brief - Explanatory Statement for the FiT Audit Determination (qA715077) [DLM=For-Official-Use-Only]

Good morning,

I've just noticed the below disallowable instrument doesn't seem to be on the Legislation Register yet.

I don't think it's too urgent, but do you know if there has been a hold-up?

Kind regards

Emma Ereaut | Senior Policy Officer, Renewable Energy
p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

From: Hartwig, Tasha
Sent: Wednesday, 11 July 2018 8:49 AM
To: Priestley, James <James.Priestley@act.gov.au>; Ereaut, Emma <Emma.Ereaut@act.gov.au>
Subject: 18/17677 - Ministerial Information Brief - Explanatory Statement for the FiT Audit Determination (qA715077) [DLM=For-Official-Use-Only]

Morning

The ES was agreed to by the Minister. The DI will be notified on the Legislation Register tomorrow to commence the day after.

DI number as below.

DI2018-215	Electricity Feed-in (Audit of Information) Determination 2018 (No 1)
------------	--

Many Thanks

Tasha Hartwig

☎ 02 6207 0701 | Government Services | Environment, Planning & Sustainable Development | ACT Government
Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

(Wednesday to Friday only)

Alieva, Daria

From: Priestley, James
Sent: Wednesday, 4 April 2018 3:46 PM
To: Round, Jessica
Cc: Ereaut, Emma
Subject: Obj file for Ministerial brief [SEC=UNCLASSIFIED]

Hi Jess,

As discussed, can you please create an objective file for an information brief for Minister Rattenbury. The details are:

Title: Review of the *Electricity Feed-in (Renewable Energy Premium) Act 2008* and audit of the scheme administration

Critical date: 18 April 2018

Please let me know if you need further details.

Thanks,
James

James Priestley | a/g Manager, Energy Policy
p + 61 2 6207 2092 | e james.priestley@act.gov.au | w <http://www.environment.act.gov.au/>
Energy Markets and Renewables | Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

Did you know: As part of our world leading climate targets, the ACT is committed to 100% renewable electricity by 2020 and carbon neutrality by 2050. Find out [more](#).

Alieva, Daria

From: Priestley, James
Sent: Monday, 30 April 2018 8:52 AM
To: Ereaut, Emma
Subject: RE: Media planning template [SEC=UNCLASSIFIED]

And if you haven't already, update the 'internal consultation' section of the brief to say that the comms plan was drafted in consultation with EPSDD Communications.

James

From: Ereaut, Emma
Sent: Monday, 30 April 2018 8:48 AM
To: Priestley, James <James.Priestley@act.gov.au>
Subject: RE: Media planning template [SEC=UNCLASSIFIED]

Hi James,

Just confirmed with Greg that the number to divide by is 7.312 – about to print the pack out and hand it to Dan 😊

Kind regards

Emma Ereaut | Senior Policy Officer, Renewable Energy
p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

From: Priestley, James
Sent: Monday, 30 April 2018 8:19 AM
To: Ereaut, Emma <Emma.Ereaut@act.gov.au>
Subject: RE: Media planning template [SEC=UNCLASSIFIED]

Hi Emma,

Yes, that sounds about right – but double check with Greg.

James

From: Ereaut, Emma
Sent: Friday, 27 April 2018 3:20 PM
To: Priestley, James <James.Priestley@act.gov.au>
Subject: FW: Media planning template [SEC=UNCLASSIFIED]

Hi James,

Please see below from Nicole, re. the FiT review and audit comms plan. Their only request is that we include a talking point about how many homes could be powered annually from the electricity generated by the small and medium FiT scheme.

I'm not sure how we usually calculate it, but based on the data in the Energy Week speech it seems like a 'home' is powered by approx. 7.3 to 7.4 MWh per year. Does this sound right? If so, we could say the 40,355 MWh generated by the scheme in 2017-18 could theoretically power nearly 5,500 homes per year:

Source / MW	MWh per year	Homes powered	MWh year / Homes
Royalla Solar Farm / 20	37,000	5,000	7.4
Mt Majura Solar Farm / 2.3	4,300	588	7.3
Mugga Lane Solar Park / 13	22,300	3,000	7.4
Williamsdale Solar Farm / 10	21,000	2,870	7.3
Small and medium FiT / 32.53	40,355	5,490	7.35

Kind regards,
Emma

From: Johnstone, Nicole
Sent: Friday, 27 April 2018 2:47 PM
To: Ereaut, Emma <Emma.Ereaut@act.gov.au>
Cc: Virtue, Geoff <Geoff.Virtue@act.gov.au>
Subject: RE: Media planning template [SEC=UNCLASSIFIED]

Hi Emma,

Thank you for sending that through.

I've discussed the plan with Geoff and the only piece of feedback we have is in regards to the key messages. Could the point *'In 2016-17, there were over 10,000 generators under the scheme, with a total installed capacity of over 32.53 megawatts, which produced 40,355 megawatt hours of electricity each year'* be further broken down into something more relatable i.e. which is the equivalent of powering XYZ houses.

Thank you,
Nicole.

From: Ereaut, Emma
Sent: Friday, 27 April 2018 1:54 PM
To: Johnstone, Nicole <Nicole.Johnstone@act.gov.au>
Cc: Virtue, Geoff <Geoff.Virtue@act.gov.au>
Subject: RE: Media planning template [SEC=UNCLASSIFIED]

Hi Nicole,

I'm just wondering if you've had a chance to review this comms plan for our FiT scheme review?

Apologies for following up so quickly, we are just hoping to send this brief up on Monday as well – if you have some spare time to look at it this afternoon or on Monday it would be much appreciated,

Kind regards

Emma Ereaut | Senior Policy Officer, Renewable Energy
p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

From: Ereaut, Emma
Sent: Thursday, 26 April 2018 10:48 AM
To: Johnstone, Nicole <Nicole.Johnstone@act.gov.au>
Cc: Virtue, Geoff <Geoff.Virtue@act.gov.au>
Subject: RE: Media planning template [SEC=UNCLASSIFIED]

Hi Nicole,

Please find attached a basic communications plan which the Energy Policy team has drafted, to be sent up to the Minister with a brief on a review and audit relating to the Small and Medium-scale FiT scheme.


Would you please have a look and let me know if this is okay to progress? All we really need at this stage are some basic talking points in case the Minister is asked about the review/audit, and we have drafted these in the plan.

Kind regards

Emma Ereaut | Senior Policy Officer, Renewable Energy
p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

From: Virtue, Geoff
Sent: Tuesday, 24 April 2018 4:37 PM
To: Ereaut, Emma <Emma.Ereaut@act.gov.au>
Subject: RE: Media planning template [SEC=UNCLASSIFIED]

Hi Emma

 but happy for you to chat to Nicole if you like as she will be around.

Cheers
Geoff

From: Ereaut, Emma
Sent: Tuesday, 24 April 2018 4:28 PM
To: Virtue, Geoff <Geoff.Virtue@act.gov.au>
Subject: RE: Media planning template [SEC=UNCLASSIFIED]

Hi Geoff,

Thank you, could I perhaps call you on Thursday to discuss the project?

Kind regards

Emma Ereaut | Senior Policy Officer, Renewable Energy
p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

From: Virtue, Geoff
Sent: Tuesday, 24 April 2018 3:34 PM
To: Ereaut, Emma <Emma.Ereaut@act.gov.au>
Subject: RE: Media planning template [SEC=UNCLASSIFIED]

Hi Emma

Attached is the Cabinet comms plan which is pretty straightforward to fill out.

What is the project?

Thanks
Geoff

From: Ereaut, Emma
Sent: Tuesday, 24 April 2018 2:40 PM
To: Virtue, Geoff <Geoff.Virtue@act.gov.au>
Subject: Media planning template [SEC=UNCLASSIFIED]

Good afternoon Geoff,

I understand there is a two-page basic template for media planning in EPSDD, and I'm wondering if you could please send me a copy?

Kind regards

Emma Ereaut | Senior Policy Officer, Renewable Energy
p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

Alieva, Daria

From: Rutledge, Geoffrey
Sent: Friday, 4 May 2018 12:11 AM
To: Harding, Daniel
Cc: Priestley, James; Ereaut, Emma
Subject: RE: For DDG Clearance: 18/08960 : Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]

Daniel,

I have approved this brief to Minister.

Please prepare Statement of requirements for both the review and the audit in parallel to waiting for Minister's agreement.

I expect Minister will take some time to approve this brief, and wish to discuss it at a Weekly meeting (which may take 2 weeks).

We should be ready to go to market before this.

Geoffrey

-----Original Message-----

From: EPSD Government Services
Sent: Thursday, 3 May 2018 5:13 PM
To: Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>
Subject: For DDG Clearance: 18/08960 : Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]
Importance: High

Hi Geoffrey,

For your clearance please.

Thanks

Laura

-----Original Message-----

From: Round, Jessica
Sent: Thursday, 3 May 2018 11:50 AM
To: EPSD Government Services <EPSDGovernmentServices@act.gov.au>
Cc: Ereaut, Emma <Emma.Ereaut@act.gov.au>; Priestley, James <James.Priestley@act.gov.au>
Subject: FOR QA: Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]
Importance: High

Good morning GS,

Please find attached amended brief for your QA and clearance through DDG Rutledge.

Please note there is a significantly tight timeline on this, if you have any questions around this timeline - I have copied in the action officers.

Please let me know if you need anything further,

Kind regards
Jess

Jessica Round | Executive Assistant
Phone: 02 6205 4887 | Email: Jessica.Round@act.gov.au Climate Change and Sustainability | Environment, Planning and Sustainable Development Directorate | ACT Government Level 2 North Dame Pattie Menzie House, 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au | www.planning.act.gov.au

-----Original Message-----

From: Ereaut, Emma
Sent: Thursday, 3 May 2018 10:44 AM
To: Round, Jessica <Jessica.Round@act.gov.au>
Cc: Priestley, James <James.Priestley@act.gov.au>
Subject: FW: FOR ACTION: Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]

Hi Jess,

I'm just writing to confirm this brief has been edited down as requested, and Dan has now cleared the updated version,

Kind regards

Emma Ereaut | Senior Policy Officer, Renewable Energy p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | ACT Government Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

-----Original Message-----

From: Round, Jessica
Sent: Wednesday, 2 May 2018 7:56 AM
To: Ereaut, Emma <Emma.Ereaut@act.gov.au>
Subject: FOR ACTION: Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]

Hi Emma,

Please see below email from Gov Services. Can this brief please be amended accordingly and then it will need to go back through Dan for clearance.

Many Thanks,
Jess

Jessica Round | Executive Assistant
Phone: 02 6205 4887 | Email: Jessica.Round@act.gov.au Climate Change and Sustainability | Environment, Planning and Sustainable Development Directorate | ACT Government Level 2 North Dame Pattie Menzie House, 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au | www.planning.act.gov.au

-----Original Message-----

From: EPSD Government Services
Sent: Tuesday, 1 May 2018 5:37 PM

To: Round, Jessica <Jessica.Round@act.gov.au>

Cc: EPSD Government Services <EPSDGovernmentServices@act.gov.au>

Subject: Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]

Hi Jess - can this one please go back to the action officer to reduce the length of the brief to two pages (plus recommendation page)? Anything detailed should be placed into an attachment please.

The two-page brief requirement is a direction from the DG Office.

Thank you,

Laura

-----Original Message-----

From: EPSD Government Services

Sent: Tuesday, 1 May 2018 12:11 PM

To: Ereaut, Emma <Emma.Ereaut@act.gov.au>; EPSD Government Services <EPSDGovernmentServices@act.gov.au>

Subject: FW: Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]

Thanks Emma - all you need to remember is the EPSD Gov Services email for anything for us - have forwarded through so this is only FYI only Thanks Lisa

-----Original Message-----

From: Ereaut, Emma

Sent: Tuesday, 1 May 2018 11:54 AM

To: Sampson, Lisa <Lisa.Sampson@act.gov.au>

Subject: Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act [SEC=UNCLASSIFIED]

Good morning Lisa

The attached brief on TRIM has been cleared by Daniel Harding, would you please progress it for clearance to Geoffrey Rutledge, Ben Ponton and to the Minister's Office?

Please let me know if you need any further information, or if there is a general Government Services email address I should send this to (apologies, I am still quite new to EPSDD),

Kind regards

Emma Ereaut | Senior Policy Officer, Renewable Energy p (02) 6207 7901 | e emma.ereaut@act.gov.au

Environment, Planning and Sustainable Development Directorate | ACT Government Dame Pattie Menzies House 16

Challis Street Dickson | GPO Box 158 Canberra ACT 2601

Emma Ereaut has sent you a link to "18/08960 - Ministerial Information Brief - Electricity Feed-in (Renewable Energy Premium) Act 2008" (qA706324) from Objective.

Open in Navigator

Double click on the attachment

Open in ECM for Browser

<https://objective.act.gov.au:8443/#/documents/qA706324/details>

Open in Your Browser

<https://objective.act.gov.au/id:qA706324>

From: [Ereaut, Emma](#)
To: [Kingham, Amy](#)
Subject: FiT Audit

Hi Amy,

Would you have 15 minutes this afternoon to just quickly catch up re. the instrument for the FiT audit?

This is the one where the Terms of Reference we have prepared need to be attached as a schedule (and the instrument is to be created under section 11C (3) of this Act: <https://www.legislation.act.gov.au/a/2008-21/>)

Kind regards,
Emma

Alieva, Daria

From: Ereaut, Emma
Sent: Monday, 17 September 2018 4:08 PM
To: Priestley, James
Subject: FW: Audit panel contract [SEC=UNCLASSIFIED]

Hi James,

Please see below from Amy. There is an internal audit services panel, and they cover the items listed below.

I can seek further advice on whether the FiT audit would be covered, but my initial impression is that it would not be:

Territory Internal Audit Services Panel

Service Categories

1. Compliance Audits
2. Performance Audits
3. Information Technology
4. Work Health and Safety
5. Specialist or generalist Environmental
6. Business Continuity Reviews
7. Business process improvement
8. Forensic Audits & Reviews
9. Fraud Control
10. Governance
11. Investigations
12. Probity
13. Project Evaluation
14. Project Assurance
15. Protective Security Services
16. Risk Management Services

Kind regards,
Emma

From: Kingham, Amy
Sent: Monday, 17 September 2018 4:04 PM
To: Ereaut, Emma <Emma.Ereaut@act.gov.au>
Subject: Audit panel contract [SEC=UNCLASSIFIED]

Hi Emma

Here is the link to the panel contract for internal audit services:

<http://sharedservices/ACTgovt/Procurement/Buying/Existing-Contracts/index.htm#internalaudit>

You could check with the contract manager Carla Udvardi to determine whether your project would come under this panel. John Wildermuth, Procurement Officer in EPSD Finance, might also be able to assist.

Regards

Amy

Amy Kingham | Senior Legal Policy Officer

Phone 02 6205 3398 | Email: amy.kingham@act.gov.au

Governance, Compliance and Legal Services | Environment, Planning and Sustainable Development | ACT Government
Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | www.environment.act.gov.au |
www.planning.act.gov.au

Alieva, Daria

From: Kingham, Amy
Sent: Wednesday, 19 September 2018 8:57 AM
To: Ereaut, Emma
Subject: RE: For review - Ministerial Information Brief - FiT Audit Request [SEC=UNCLASSIFIED]

Hi Emma

Good pick up, I think it would be fine for us to appoint the auditor then, with agreement of the Minister. You could include a recommendation in the brief that the Minister agree to the Directorate appointing an auditor.

Regards
Amy

-----Original Message-----

From: Ereaut, Emma
Sent: Tuesday, 18 September 2018 3:45 PM
To: Kingham, Amy <Amy.Kingham@act.gov.au>
Subject: RE: For review - Ministerial Information Brief - FiT Audit Request [SEC=UNCLASSIFIED]

Hi Amy,

Thanks for this. I also wanted to check with you, re. our discussion the other day that the legislation states 'The Minister may require a reporting entity to undertake an audit of the information provided by the reporting entity under section 11B', and the question of whether we would run the procurement process to select the auditor ourselves - the Act also states that the Minister can appoint an auditor to undertake the audit.

Given this, do you think there would be any issues with us running that selection process ourselves?

Kind regards,
Emma

-----Original Message-----

From: Kingham, Amy
Sent: Tuesday, 18 September 2018 9:49 AM
To: Ereaut, Emma <Emma.Ereaut@act.gov.au>
Cc: Priestley, James <James.Priestley@act.gov.au>
Subject: RE: For review - Ministerial Information Brief - FiT Audit Request [SEC=UNCLASSIFIED]

Hi Emma

Thanks for the brief, I have made some minor edits and comments in the documents.

Regards
Amy

Amy Kingham | Senior Legal Policy Officer Phone 02 6205 3398 | Email: amy.kingham@act.gov.au Governance, Compliance and Legal Services | Environment, Planning and Sustainable Development | ACT Government Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | www.environment.act.gov.au | www.planning.act.gov.au

-----Original Message-----

From: Ereaut, Emma

Sent: Tuesday, 18 September 2018 8:42 AM

To: EPSDLegalServices <EPSDLegalServices@act.gov.au>

Cc: Kingham, Amy <Amy.Kingham@act.gov.au>; Priestley, James <James.Priestley@act.gov.au>

Subject: For review - Ministerial Information Brief - FiT Audit Request [SEC=UNCLASSIFIED]

Good morning,

Please find attached Obj link to the briefing pack on the FiT Audit request.

Would you please review the instrument at Attachment B and the Explanatory Statement at Attachment C to ensure they have been prepared appropriately?

We will then progress clearance through our management and executive,

Kind regards

Emma Ereaut | Senior Policy Officer | Energy Policy p (02) 6207 7901 | e emma.ereaut@act.gov.au Environment, Planning and Sustainable Development Directorate | ACT Government Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

Emma Ereaut has sent you a link to "18/22559 - Ministerial Information Brief - FiT Audit Request" (qA719964) from Objective.

Open in Navigator

Double click on the attachment

Open in ECM for Browser

<https://objective.act.gov.au:8443/#/documents/qA719964/details>

Open in Your Browser

<https://objective.act.gov.au/id:qA719964>

Alieva, Daria

From: Ereaut, Emma
Sent: Tuesday, 16 October 2018 11:19 AM
To: Priestley, James
Subject: Evoenergy meeting notes [SEC=UNCLASSIFIED]
Attachments: Meeting with Evoenergy - 10 Oct 2018.docx

Hi James,

Please find attached my notes from the meeting Greg and I had with Evo on 10 October.

In particular, they wanted to:

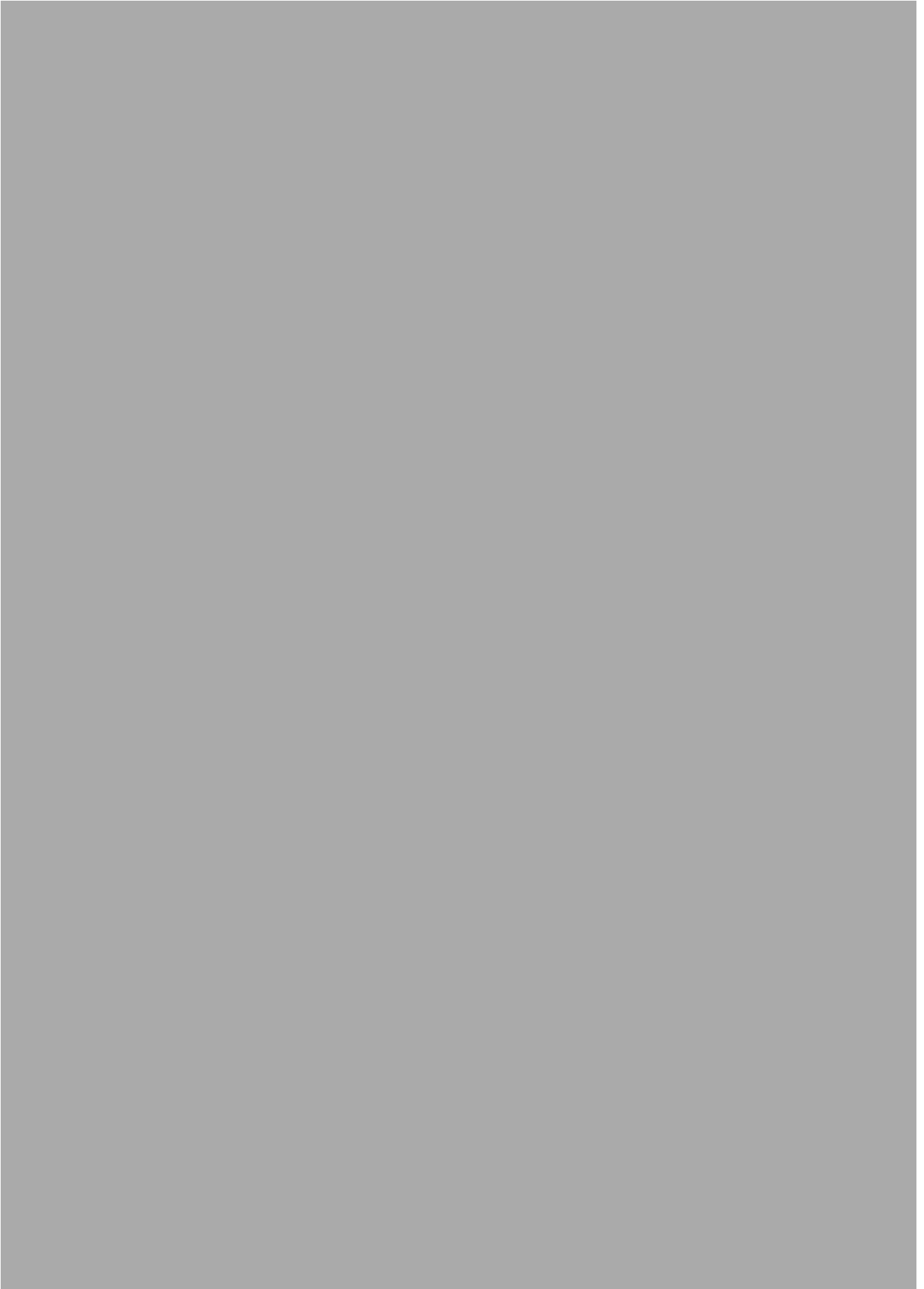
- Follow up re. exchange of information between Evo and the electrical inspectorate in Access Canberra (they wanted to set up a meeting with yourself and Jawad to discuss)
- Follow up re. including small and medium-scale FiT in the reasonable cost determination
- Discuss a defect in our legislation which doesn't give them access rights to properties for the PV testing regime
- Check where the FiT audit is up to

They also suggested 28 November at 9am at Greenway as the next meeting,

Kind regards

Emma Ereaut | A/g Manager | Energy Policy
p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

EPSDD and Evoenergy – Quarterly Meeting – 10 October 2018



FiT audit

- Small FiT audit: No updates at this stage. James to provide **update** after he returns.

[Redacted]

[Redacted]

Alieva, Daria

From: Ereaut, Emma
Sent: Tuesday, 27 November 2018 8:41 AM
To: [REDACTED]
Cc: Priestley, James
Subject: Terms of Reference - FiT Data Audit [SEC=UNCLASSIFIED]
Attachments: Terms of Reference - FiT Data Audit.docx

Good morning [REDACTED]

Please find attached a copy of the Terms of Reference for the FiT Data Audit. Apologies, I understand these were not sent with the original letter.

Kind regards

Emma Ereaut | Senior Policy Officer | Energy Policy
p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

Alieva, Daria

From: Ereat, Emma
Sent: Thursday, 17 January 2019 11:05 AM
To: EPSD Government Services
Cc: Priestley, James
Subject: RE: Disallowable instrument - FiT Audit [SEC=UNCLASSIFIED]

Hi Lisa,

That would be great if the Minister's Office would be prepared to do that.

We had intended to hold off until January to go out to tender, and decided to hold off on notifying the actual instrument until just before we commenced that process.

I hope this helps,

Kind regards

Emma Ereat | Senior Policy Officer | Energy Policy
p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

From: EPSD Government Services
Sent: Thursday, 17 January 2019 11:00 AM
To: Ereat, Emma <Emma.Ereat@act.gov.au>
Cc: Priestley, James <James.Priestley@act.gov.au>
Subject: RE: Disallowable instrument - FiT Audit [SEC=UNCLASSIFIED]

Hi Emma

As discussed, I can't lodge the instrument as it is not dated. Not having the signed copy of the brief saved to file furthers the issue. Being from November GS has not kept the hardcopy file - I apologise, the OBJ file should have been checked before disposing of the hardcopy.

I will check with the MO to see if they may resign the instrument and brief previously provided to them, and explain the administrative reason for doing so. To help me with the delay between when the Minister signed and now, can I please have advice – I think you mentioned you didn't want to notify until closer to the time of going out to tender?

I'll let you know next steps as soon as I have some advice from MO.

Thanks

[Lisa](#)

From: Ereat, Emma
Sent: Wednesday, 16 January 2019 8:47 AM
To: EPSD Government Services <EPSDGovernmentServices@act.gov.au>
Cc: Priestley, James <James.Priestley@act.gov.au>
Subject: Disallowable instrument - FiT Audit [SEC=UNCLASSIFIED]

Good morning Gov Services,

Could you please arrange for the attached disallowable instrument, *Electricity Feed-in (Renewable Energy Premium) Requirements of Audit Determination 2018*, to be notified?

I have attached the following:

- The instrument signed by the Minister
- The unsigned Word version of the instrument
- The explanatory statement
- Two versions of the Terms of Reference, which forms schedule 1 to the instrument – I'm not sure which is the correct version. Our original version is 'Att A' but in the Objective folder now there is also 'Att D2', and I'm not sure where this came from or why it was created (the brief file number is 18/22559). I've also noticed that the brief itself isn't currently in the folder (signed or unsigned), or perhaps I can't see it for some reason – would you mind please checking if it's there?

Please let me know if you need anything else to organise the notification,

Kind regards

Emma Ereaut | Senior Policy Officer | Energy Policy

p (02) 6207 7901 | e emma.ereaut@act.gov.au

Environment, Planning and Sustainable Development Directorate | **ACT Government**

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

Alieva, Daria

From: Ereaut, Emma
Sent: Tuesday, 22 January 2019 11:03 AM
To: Priestley, James
Subject: 18/22559 - Ministerial Information Brief - FiT Audit Request [SEC=UNCLASSIFIED]
Attachments: 18_22559 - Ministerial Information Brief - FiT Audit Request.obr

Hi James,

Amy has provided some edits to Attachments B and C at the attached, for the FiT audit.

The most notable change is in the Explanatory Statement where she has included: "This audit of information does not impose any appreciable costs on the community, therefore a Regulatory Impact Statement is not required."

Are you happy for me to progress this back to Gov Services?

Kind regards,
Emma

Emma Ereaut has sent you a link to "18/22559 - Ministerial Information Brief - FiT Audit Request" (qA719964) from Objective.

Open in Navigator
Double click on the attachment

Open in ECM for Browser
<https://objective.act.gov.au:8443/#/documents/qA719964/details>

Open in Your Browser
<https://objective.act.gov.au/id:qA719964>

Alieva, Daria

From: Udvardi, Carla
Sent: Thursday, 14 February 2019 2:50 PM
To: Ereaut, Emma
Subject: RE: Internal Audit Panel information [SEC=UNCLASSIFIED]

Hi Emma,

Apologises in the delay in getting back to you.

Yes, as the audit is being conducted by the Territory I would recommend using the Internal Audit Panel (under any of the categories we had previously discussed) and see if any of the providers are complete the services you require.

If you send an RFQ out through VendorPanel and none of the responses suit your requirements then you will be able to go outside of the panel and send RFQ's to other potential providers.

Feel free to give me a call if required.

Kind Regards,

Carla Udvardi

Contract Manager

Contracts & Category Management | Goods & Services Procurement

Phone +61 2 6205 9084 | Fax +61 2 6207 6500

Procurement ACT | Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

220 Northbourne Avenue, Braddon ACT 2612 | GPO Box 158 Canberra City ACT 2601

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If you are unable to contact me using the above details, please call Goods & Services Procurement on +61 2 6205 9797 or send us an email at goodsandservices@act.gov.au

Please consider the environment before printing this email, if printing is necessary, print double-sided and black and white.

From: Ereaut, Emma
Sent: Friday, 8 February 2019 3:26 PM
To: Udvardi, Carla <Carla.Udvardi@act.gov.au>
Subject: RE: Internal Audit Panel information [SEC=UNCLASSIFIED]

Good afternoon Carla,

Apologies, it's been a while since we discussed the below but the end of last year got quite busy with a few other projects.

I'd just like to confirm that we can approach the members of the Internal Audit panel, even though the audit we need to conduct is not strictly internal (it's an audit of some information provided to us by the ACT electricity distributor, Evoenergy)?

Also, if we approach the panel members and we do not receive a quote that we wish to accept, can we then run our own separate RFQ process or are we required to accept a quote from a panel member?

Kind regards

Emma Ereaut | Senior Policy Officer | Energy Policy
p (02) 6207 7901 | e emma.ereaut@act.gov.au

From: Udvardi, Carla
Sent: Thursday, 20 September 2018 3:28 PM
To: Ereaut, Emma <Emma.Ereaut@act.gov.au>
Subject: RE: Internal Audit Panel information [SEC=UNCLASSIFIED]

Hi Emma,

Thankyou for sending through the PMP registration form. I forwarded it to the correct area for setup and I believe that they have confirmed that you should now have access.

A user reference guide is available through the PMP for the Internal Audit Panel (however I will attach it to this email for you also, for quick reference).

The guide talks you through requesting a quote from providers on the Panel, however I am also happy to talk you through the process if required.

Depending on the specifics/details of your request, you may wish to prepare a separate Statement of Requirements (SOR) to attach to your Request for Quote(RFQ). I have attached a SOR template for you to look at and potentially use for your request if you do not already have one. If your request is detailed I would recommend having a separate SOR, however if you feel you can articulate your requirements and details of your request clearly enough you can entered them directly into the system at the time of your request.

Feel free to give me a call to discuss.

Kind Regards,

Carla Udvardi

Contract Manager

Contracts & Category Management | Goods & Services Procurement

Phone +61 2 6205 9084 | Fax +61 2 6207 6500

Procurement, Property and Venues | Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

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Please consider the environment before printing this email, if printing is necessary, print double-sided and black and white.

From: Ereaut, Emma
Sent: Thursday, 20 September 2018 10:35 AM
To: Udvardi, Carla <Carla.Udvardi@act.gov.au>
Subject: RE: Internal Audit Panel information [SEC=UNCLASSIFIED]

Hi Carla,

Thanks for sending these through, please find my panel registration request form attached.

Although our audit is not strictly internal, I think it will likely come under a few categories in the panel arrangements spreadsheet you sent through;

- Business Process Improvement
- Compliance Audits
- IT Audits
- Performance Audits

As such, I think it would be valuable to seek quotes from the below panel members, as each one addresses all four of these areas;

- KPMG
- Pricewaterhouse Coopers
- Protivity Pty Ltd

Is there some guidance you can send me on the process for approaching these panel members, what documents I need to prepare, etc?

Kind regards

Emma Ereaut | Senior Policy Officer | Energy Policy
p (02) 6207 7901 | e emma.ereaut@act.gov.au
Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

From: Udvardi, Carla
Sent: Wednesday, 19 September 2018 3:05 PM
To: Ereaut, Emma <Emma.Ereaut@act.gov.au>
Subject: Internal Audit Panel information [SEC=UNCLASSIFIED]

Hi Emma,

Thank you for your call. As discussed please find attached the Supplier's by Categories List for the Whole of Government Internal Audit Panel.

Hopefully by seeing the categories under the panel arrangement you will be able to see if your request falls within the scope of services offered by the Providers. As you can see the categories tend to be very broad so there is the possibility that your request could fall within them even if it is not specifically identified there.

To engage providers on the Panel, you will need access to the Territory's Panel Management Portal (PMP), so I have also attached the registration form to this email for you. On the request form it does ask for an approvers details and this is simply the person with financial delegation who will sign off/approve your request.

Once registered I am happy to talk you through submitting a Request for Quote through the portal to providers.

Have a great afternoon

Kind Regards,

Carla Udvardi

Contract Manager

Contracts & Category Management | Goods & Services Procurement

Phone +61 2 6205 9084 | Fax +61 2 6207 6500

Procurement, Property and Venues | Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

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If you are unable to contact me using the above details, please call Goods & Services Procurement on +61 2 6205 9797 or send us an email at goodsandservices@act.gov.au

Please consider the environment before printing this email, if printing is necessary, print double-sided and black and white.

Panel Management Portal Buyer Registration Request Form



To register as a buyer in the Territory's Panel Management Portal (PMP), please complete the information below.

Buyer Detail	
Requesting Officer Name	Emma Ereaut
Directorate or Agency	Environment, Planning and Sustainable Development
Business Unit	Energy Policy
Email address	Emma.Ereaut@act.gov.au

As the PMP includes workflow to seek approval for work orders, please provide details of the Financial Delegate who will approve procurements you will undertake through the PMP. This role will be referred to as an Approver in the PMP.

Approver/s Details	
Name of the delegate	Daniel Harding (Senior Manager, Energy Markets and Renewables)
Email address	Daniel.Harding@act.gov.au

Please note:

- If not already registered, the Approver nominated above will also receive an email to register on the PMP. Once registered, an Approver can approve a procurement in the PMP
- A buyer cannot approve their own procurement in the PMP.

Please email the completed form to GoodsandServices@act.gov.au

If you are unsure about anything on this form, please contact Goods and Services team on 0262059797.

1. TITLE OF PROJECT

ACT Small and Medium-scale Feed-in Tariff Scheme Data Audit

2. PURPOSE

The purpose is to conduct an audit of the information provided to the Minister for Climate Change and Sustainability, in regard to the ACT Small and Medium-scale Feed-in Tariff (FiT) Scheme, by the ACT electricity distributor (Evoenergy). The audit is required to ensure the ongoing success of the scheme and accuracy of reporting.

3. BACKGROUND

The *Electricity Feed-in (Renewable Energy Premium) Act 2008* (the Act) establishes the ACT Small and Medium-scale FiT scheme, which allows for payments to be made to ACT households and businesses that are generating renewable electricity. These payments encourage the uptake and development of renewable electricity.

The scheme was open for applications between March 2009 and July 2011. It was open to any form of small and medium sized renewable energy generator, which were defined as those with a capacity below 200 kilowatts.

Successful applicants are paid by their electricity retailer for the total kilowatt hours their system generates, including any used at the premises where it was generated as well as the energy that is returned to the grid. The retailer then passes the cost on to the electricity distributor, Evoenergy, who incorporates this cost into network charges. Evoenergy is also the scheme's administrator.

Under section 11A of the Act there are reporting requirements related to the scheme, which enable the ACT Government to monitor its success. The information which must be reported is set out in the *Electricity Feed-in (Renewable Energy Premium) Reporting Determination 2015 (No 1)* (the Determination).

According to the Determination, the information must be provided by 30 September every year in relation to the immediately preceding completed financial year. The information requirements apply to each and every compliant renewable energy generator connected to Evoenergy's network for all or part of the financial year. The required information is as follows:

- electricity output during each quarter of the financial year
- applicable premium rate
- installed capacity at the date of connection
- suburb in which the relevant generator is located, and
- whether the relevant generator was still connected to Evoenergy's network at the end of the previous financial year.

Additionally, under the Determination, Evoenergy must provide the Minister with information identifying the total amount it has reimbursed to each National Energy Retail Law (NERL) retailer during the financial year, for the payments made by the NERL retailer to compliant renewable energy generators for electricity generated.

STATEMENT OF REQUIREMENTS (CONSULTANCY SERVICES)

Under section 11B of the Act, Evoenergy must provide the government with data for these reporting requirements. However, EPSDD has identified data quality issues in the data received from Evoenergy for a number of years. Numerous representations to improve Evoenergy's data quality and reporting have failed, and the ongoing issues risk the effective operation of the scheme.

Under section 11C of the Act the Minister may require Evoenergy to commission an audit of the information they have provided, if the Minister believes on reasonable grounds the information is untrue, misleading or incomplete. Under this section the Minister may also appoint the auditor, and the audit must be undertaken in accordance with requirements determined by the Minister.

4. THE SERVICES

Required Services

The audit is required to determine if data on the Small and Medium-scale FiT scheme is being gathered, processed, stored and reported accurately, and if it is not, identify improvements that may be made to the process.

The auditor is responsible for:

- Conducting an audit in accordance with the terms of reference
- Providing a report to EPSDD on the findings of the audit
- Ensuring the accuracy and reliability of information contained in the report

A copy of the terms of reference is provided at [Attachment A](#).

Reporting and Deliverables

A draft audit report should be provided to EPSDD by close of business on Friday 12 April 2019 with a final report provided to EPSDD by close of business on Monday 29 April 2019. Both the draft and final reports should be in Microsoft Word format.

The supplier should have introductory and concluding face-to-face meetings with EPSDD as well as a fortnightly teleconference during the review process.

5. WORKPLACE HEALTH AND SAFETY

There are no Workplace Health and Safety considerations related to this procurement.

6. KEY PERFORMANCE INDICATORS

Performance will be monitored based on regular attendance at meetings (including teleconferences) with EPSDD and effective communication with EPSDD throughout the review process.

Additionally, performance will be monitored based on timely submission of an accurate and thorough audit report, including considered recommendations with rationale provided.

7. OUT OF SCOPE CONSIDERATIONS

Information provided to EPSDD by Evoenergy that is not required under section 11B of the Act is out of scope for this audit.

8. SPECIFIC REQUIREMENTS

Please refer to section 4, 'The Services'.

FiT audit timeline:

- 9 May 2018 – Minister originally agreed to audit in brief 18/08960
- 21 May 2018 – DDG approved letter to CEO of Evoenergy, requesting meeting to discuss an audit in brief 18/13025
- 9 July 2018 – Minister approved original explanatory statement for FiT audit determination in brief 18/17677
- 8 November 2018 – Minister approved revised disallowable instrument (with Terms of Reference attached) and formal letter to Evoenergy in brief 18/22559

Next steps: Get disallowable instrument notified (Legal's advice was that it did not need to be notified straight away once signed, and the instrument itself says it commences the day after it is notified) and seek a consultant to conduct the audit. Although our audit is not strictly internal, advice from Goods and Service Procurement was that we could still approach members of the ACT Government's Whole of Government Internal Audit Panel. To engage providers on the Panel, we need access to the Territory's Panel Management Portal (PMP), which I organised for myself and Dan last year – we would just need to set up our access.

Alieva, Daria

From: Priestley, James
Sent: Tuesday, 19 March 2019 3:08 PM
To: Ereaut, Emma
Subject: FW: FIT Audit - draft ToR [SEC=UNCLASSIFIED]

From: [REDACTED]
Sent: Wednesday, 22 August 2018 2:50 PM
To: Priestley, James <James.Priestley@act.gov.au>
Cc: [REDACTED]
Subject: RE: FIT Audit - draft ToR [SEC=UNCLASSIFIED]

James

This TOR seems very similar to the present 5 year audit being conducted. Is this a duplication as such?

The time frame is very tight, is it achievable?

I notice you want Evoenergy to pay for the audit., I haven't budgeted for it so could be interesting. Would you put it in the Energy Industry Levy calculations instead?

[REDACTED] but can discuss whenever you are free.

Cheers

[REDACTED]

From: Priestley, James <James.Priestley@act.gov.au>
Sent: Wednesday, 22 August 2018 2:15 PM
To: [REDACTED]
Subject: FIT Audit - draft ToR [SEC=UNCLASSIFIED]

Hi [REDACTED]

As discussed during the meeting between Michael Costello and our DG (Ben Ponton), the Minister for Climate Change and Sustainability has requested an audit of Evoenergy's functions under the small and medium FIT program. As agreed, we'd like to develop to ToR in consultation with Evoenergy – please see the attached draft. I'll give you a call next week to discuss.

James

Dr. James Priestley | a/g Manager, Energy Policy
p + 61 2 6207 2092 | e james.priestley@act.gov.au | w <http://www.environment.act.gov.au/>
Energy Markets and Renewables | Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

Did you know: As part of our world leading climate targets, the ACT is committed to 100% renewable electricity by 2020 and carbon neutrality by 2050. Find out [more](#).

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Alieva, Daria

From: Priestley, James
Sent: Wednesday, 20 March 2019 8:26 AM
To: Ereaut, Emma
Subject: FW: Media enquiry: FiT audit [SEC=UNCLASSIFIED]

From: Virtue, Geoff
Sent: Wednesday, 13 February 2019 1:20 PM
To: Wills, Lisa <Lisa.Wills@act.gov.au>
Cc: McGlynn, Gene <Gene.McGlynn@act.gov.au>; Harding, Daniel <Daniel.Harding@act.gov.au>; Ponton, Ben <Ben.Ponton@act.gov.au>; Wilden, Karen <Karen.Wilden@act.gov.au>; Priestley, James <James.Priestley@act.gov.au>
Subject: RE: Media enquiry: FiT audit

Hi Lisa

The below has been cleared by Geoffrey Rutledge.

What has prompted this audit?

This audit is being undertaken to ensure the ongoing efficiency of reporting on the Small and Medium-scale FiT scheme. To enable the ACT Government to monitor the success of the scheme, it needs to have confidence in the data reported us by the scheme administrator, Evoenergy.

The Environment, Planning and Sustainable Development Directorate (EPSDD) has worked closely with Evoenergy to improve data quality and reporting for the Small and Medium-scale FiT scheme though it is now considered timely to undertake an audit.

EPSDD is also currently undertaking a review of the Electricity Feed-in (Renewable Energy Premium) Act 2008 and the audit is an opportunity to inform any ongoing improvement.

Is it the first time any relevant minister has ordered such an audit?

Yes.

Are there any concerns regarding the accuracy and/or reliability of Evoenergy's reporting requirements under the legislation?

To ensure continuing confidence in and success of the Small and Medium-scale FiT scheme, it is important that data reporting is accurate and timely. All programs benefit from periodic evaluation to ensure processes are robust and data collection is accurate.

Previous annual reports on the performance of the Small and Medium-scale FiT scheme have required periodic amendments to correct and update reported data. EPSDD continues to work with Evoenergy to improve data quality and reporting under the scheme and the audit will identify any information management and reporting system improvements that Evoenergy could make.

Why does the scope extend back four financial years?

Following the first review of the Small and Medium-scale FiT scheme in 2015, the scheme was amended to include annual data provision and reporting requirements for the distributor (Evoenergy) and retailers. These reporting requirements began in 2015 and this is the extent to which data has been collected on the scheme, and therefore the scope of the audit only covers these years.

The AER late last year removed a host of retailer-supplied datasets from its website, citing accuracy and reliability concerns. Is this audit in any way related to that issue? If so, how?

No, this audit is not related.

What are the implications, if any, of any problems with Evoenergy's reporting of this data to the government; the distributor; consumers and the AER or other regulatory bodies?

The Minister has chosen to undertake this audit to ensure that the reported data is as accurate and complete as possible, and to ensure that Evoenergy's information management and reporting processes are robust.

The audit will ensure that the scheme continues to deliver for ACT consumers and provides the community with regular, accurate reports on the scheme's progress and its contribution to the ACT's energy supply.

From: Wills, Lisa

Sent: Tuesday, 12 February 2019 3:31 PM

To: Virtue, Geoff <Geoff.Virtue@act.gov.au>

Cc: Harding, Daniel <Daniel.Harding@act.gov.au>; Georgeson, Matthew <Matthew.Georgeson@act.gov.au>;

McGlynn, Gene <Gene.McGlynn@act.gov.au>; Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>; Alexander, David <David.Alexander@act.gov.au>

Subject: Media enquiry FW: FiT audit

Hi team

Welcome your advice as to the media response below—noting a deadline of 4pm tomorrow.

Many thanks

Lisa

From: [REDACTED]

Sent: Tuesday, 12 February 2019 3:29 PM

To: Wills, Lisa <Lisa.Wills@act.gov.au>

Subject: FiT audit

Hi Lisa,

I have a few questions below about the audit of Evoenergy's FiT reporting for the past four fiscal years, Minister Rattenbury has ordered. If you can get back to me by 4pm tomorrow, that would be good.

DI here:

<https://www.legislation.act.gov.au/View/di/2019-9/current/PDF/2019-9.PDF>

Questions:

What has prompted this audit?

Is it the first time any relevant minister has ordered such an audit?

Are there any concerns regarding the accuracy and/or reliability of Evoenergy's reporting requirements under the legislation?

Why does the scope extend back four financial years?

The AER late last year removed a host of retailer-supplied datasets from its website, citing accuracy and reliability concerns. Is this audit in any way related to that issue? If so, how?

What are the implications, if any, of any problems with Evoenergy's reporting of this data to the government; the distributor; consumers and the AER or other regulatory bodies?

Any extra information the audit are welcome.

Cheers,



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Alieva, Daria

From: Priestley, James
Sent: Wednesday, 20 March 2019 8:29 AM
To: Ereaut, Emma
Subject: FW: MLA Rattenbury letter [SEC=UNCLASSIFIED]

From: [Redacted]
Sent: Wednesday, 21 November 2018 1:27 PM
To: Priestley, James <James.Priestley@act.gov.au>
Cc: [Redacted]
Subject: MLA Rattenbury letter

Hello James,

Our CEO received the audit letter from Shane Rattenbury's office but it did not contain the terms of reference document that it referred to.

Can you please provide me with a copy?



Evoenergy



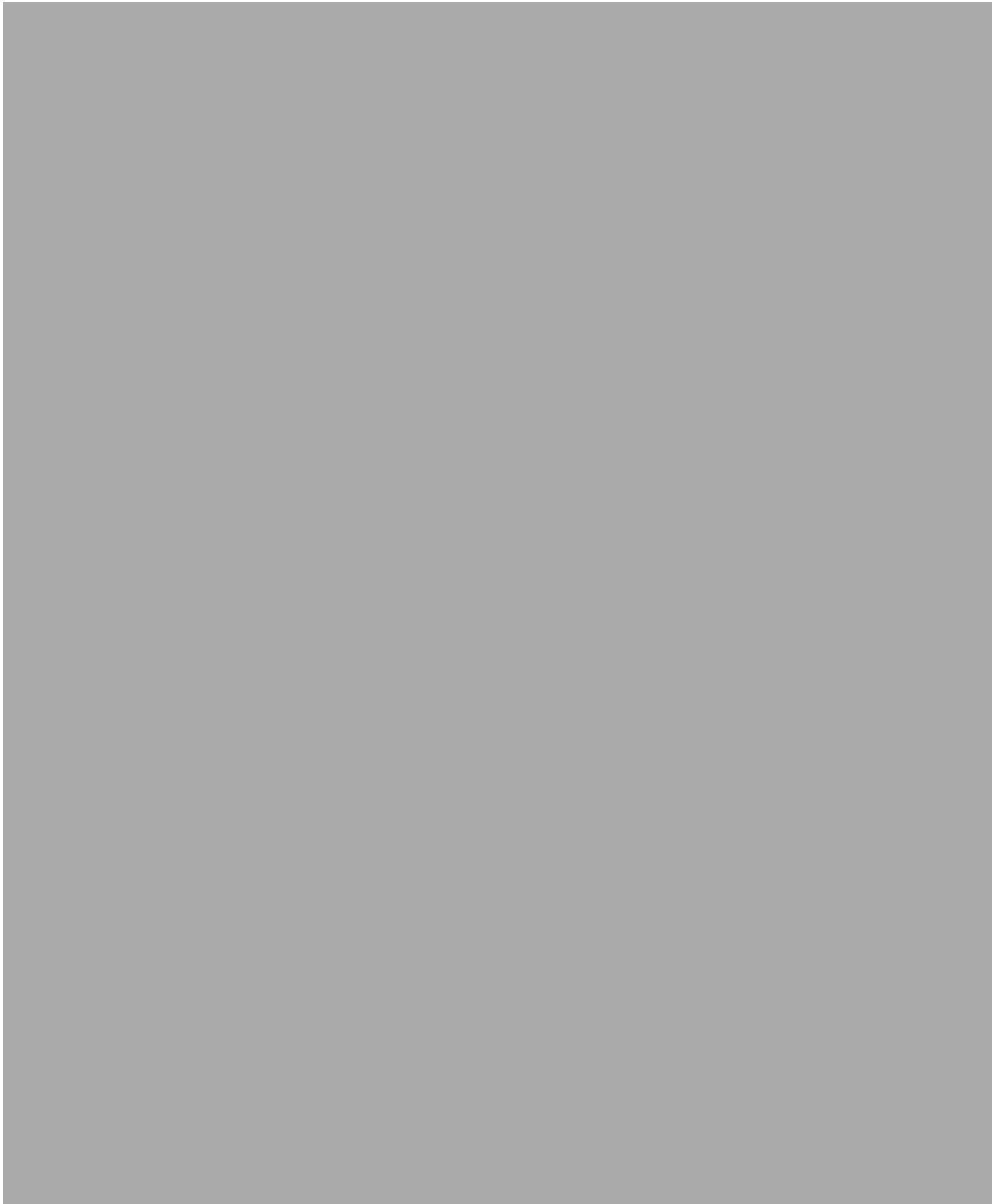
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Minister Rattenbury

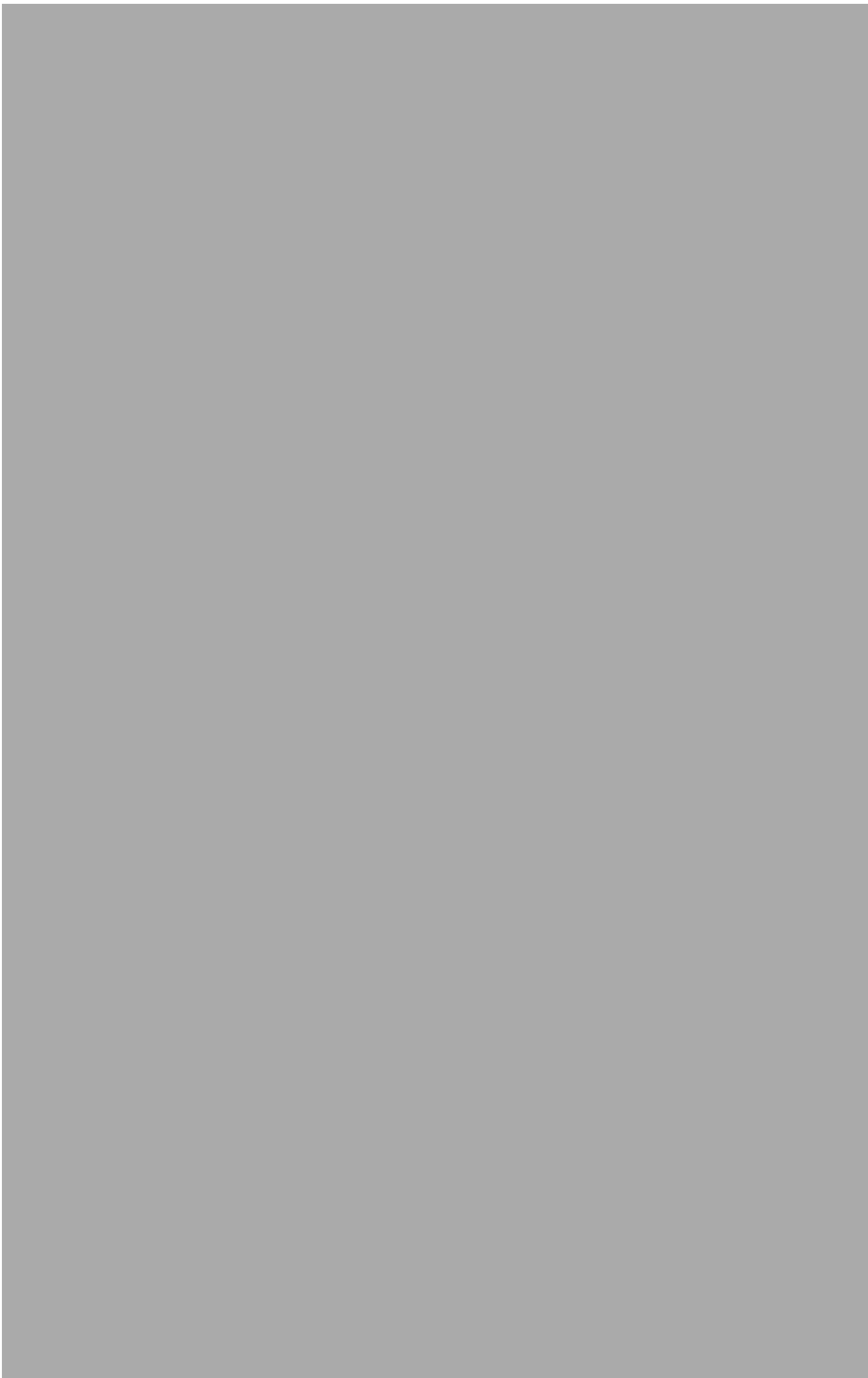
Possible discussion points for meeting with Mr. John Knox, Chief Executive Officer of ActewAGL and Evoenergy, on Thursday 10 January 2019





Small and Medium Feed in Tariff scheme (E)

- PSDD has long-standing concerns regarding the quality of data held by Evoenergy in its role as administrator of the Small and Medium Feed in Tariff scheme. In June 2018, then CEO Mr. Michael Costello was informed of the ACT Government's intention to address these concerns by conducting an audit of the administration of the scheme. This audit is expected to be conducted in the first half of 2019.
 - There is a process underway to address these issues.
- 





Histogram data		Non-linked	
Range	Count	Count	
0%	223	223	
1-5%	258	258	
6-10%	941	941	
11-15%	4951	4951	
16-20%	3451	3451	
21% and over	409	409	
Capacity unknown		55	
Percent between 11-2			82%
Under 5%			481

Outlier analysis		Non-linked results	
Percentage 22% capacity factor and over		4%	4%
Percentage 0%		2%	2%
Total capacity of zero generators		578	578
Total capacity of under 5% generators		1463	
Total capacity of 21% and above generators		895	895
Payments to 21% and above capacity factor	\$	1,121,782	\$1,121,782
Payments above 21% capacity	\$	599,404	\$439,068
Payments to generators with unknown capacity	\$	306,461	\$306,461

Hours in a year 8760

Potential output of zero generators if their capacity factor increased to 15%
758905.956

- 1% Count 1%
- 1% Count 22
- 2% Count 37
- 3% Count 51
- 4% Count 68
- 5% Count 80
- 6% Count 86
- 7% Count 149
- 8% Count 192
- 9% Count 201
- 10% Count 313
- 11% Count 392
- 12% Count 559
- 13% Count 826
- 14% Count 1341
- 15% Count 1833
- 16% Count 1863
- 17% Count 1084
- 18% Count 333
- 19% Count 96
- 20% Count 75
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capacity factor under 5% 5%

