

ANNUAL REPORT 2025-26

UTILITIES COMMISSION
OF THE NORTHERN TERRITORY

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This Annual Report is submitted to the Treasurer, the Hon. Bill Yan MLA, in accordance with section 35 of the *Utilities Commission Act 2000*.

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Abbreviations and acronyms

AC	alternating current
Commission	Utilities Commission of the Northern Territory
CPI	consumer price index
Darwin Port	Landbridge Darwin Port
EDL	EDL NGD (NT) Pty Ltd
EV	electric vehicle
IES	Indigenous Essential Services Pty Ltd
Jacana Energy	Power Retail Corporation, a government owned corporation established in accordance with the *Government Owned Corporations Act 2001* and trading as Jacana Energy
MW	Megawatts
MWh	megawatt hours
NEL	National Electricity Law
NER	National Electricity Rules
NTESMO	Northern Territory Electricity System and Market Operator
Ports Regulations	Ports Management Regulations 2015
PV	Photovoltaic
PWC	Power and Water Corporation, a government owned corporation established in accordance with the *Government Owned Corporations Act 2001*
regulated power systems	refers to the Darwin-Katherine, Alice Springs and Tennant Creek power systems
RTA Gove	RTA Gove Pty Ltd (previously Alcan Gove Pty Ltd)
Territory Generation	Power Generation Corporation, a government owned corporation established in accordance with the *Government Owned Corporations Act 2001* and trading as Territory Generation

UTILITIES COMMISSION
OF THE NORTHERN TERRITORY

The Honourable Bill Yan MLA
Treasurer
GPO Box 3146
DARWIN NT 0801

By email: minister.yan@nt.gov.au

Dear Treasurer

In accordance with section 35 of the *Utilities Commission Act 2000*, I am pleased to present the Utilities Commission of the Northern Territory's Annual Report for the year ending 30 June 2026.

The report covers:

- administration of the Act during 2025-26
- activities of the Utilities Commission under the *Electricity Reform Act 2000*, *Water Supply and Sewerage Services Act 2000*, and the *Ports Management Act 2015* during the year.

The Utilities Commission notes the Act provides that a copy of this report is to be tabled in the Legislative Assembly within six sitting days of receipt.

Yours sincerely



Lyndon Rowe
Utilities Commissioner

15 September 2026

Commissioner's overview

I am pleased to present the Utilities Commission of the Northern Territory's Annual Report for the year ending 30 June 2026.

The Commission continued to promote strong economic outcomes across the Territory's electricity supply, water supply and sewerage services, and ports industries throughout 2025-26. Importantly, and guided by our Strategic Plan, the Commission successfully delivered all its statutory obligations and published priorities for the year.

In relation to the electricity supply industry, a major achievement in 2025-26 was completing the Electricity Industry Performance Code review. Following extensive consultation and consideration of feedback, the Commission published its final decision and varied code in March 2026. The amendments ensure performance indicators remain relevant and proportionate, and will strengthen performance monitoring and transparency across the Territory's electricity supply sector from 1 July 2026.

Also relevant to the Territory's electricity supply industry, during 2025-26 the Commission published its annual reviews of electricity retail and power system performance, and a 2025 Northern Territory Electricity Outlook Report Update. A review of Power and Water Corporation's initial proposal for system control and market operator charges for the 2027–2032 regulatory period also commenced, including publication of a consultation paper.

In relation to ports, the Commission continued overseeing pricing and access arrangements for the Port of Darwin during 2025-26, including publishing its annual price monitoring report. The report provides useful information on trends in standard charges and revenue received for prescribed services by Landbridge Darwin Port as the private port operator and private pilotage provider at the Port of Darwin.

The Commission's regulatory activities centred on a targeted, risk-based approach to compliance. This included increased monitoring and reporting where licensees breached life support equipment customer protection obligations. The Commission's concerns regarding these breaches are discussed in its 2025 Annual Compliance Monitoring Report along with other compliance matters. The report plays an important role in providing transparency on electricity supply, water supply and sewerage services licensees' compliance performance and on promoting licensee accountability.

In addition to our statutory responsibilities, the Commission continued to provide advice to government on a range of significant policy and regulatory matters. This included work relating to electricity market reforms and developing access and pricing regulation for the Darwin ship lift. We also commenced work on advice requested by the minister related to expanding economic regulation in the water supply and sewerage services industry.

Looking ahead, key priorities for 2026-27 include making draft and final decisions regarding Power and Water Corporation's proposed system control and market operator charges for the next five-year regulatory period, in consultation with stakeholders, commencing a review of the Guaranteed Service Level Scheme, publishing reports across the industries the Commission is responsible for regulating to support transparency and accountability, and engaging with government to ensure the Commission has adequate resources to deliver existing and expanding responsibilities.

I am proud of the Commission's achievements in 2025-26, and again express my appreciation to the Associate Commissioner, Richard Owens, whose very strong support and guidance is highly valued by myself and Commission staff.

In October 2025, the Director of the Commission, Kimberlee McKay decided to take a well-earned break and resigned as Director. On behalf of myself and Richard I want to express our deep appreciation to Kim for her dedication and commitment to the Commission over the last eight years. Her contribution has been outstanding. Thank you, Kim.

I also want to welcome and thank Kim's replacement, Anna McGill. Anna has continued Kim's good work and, with a small but committed staff, has continued to deliver high quality (and quantity) work to the Commission.

In my last report I mentioned that increasing the resourcing of the Commission was an issue for 2025-26. This has become critical given the expanding role of the Commission. I am pleased to report a review of the Commission's resourcing is nearing completion that should result in increased resourcing for both the Commission and Commission office.

Lastly, I thank stakeholders for their constructive engagement throughout the year and the Department of Treasury and Finance for providing administrative support to the Commission.



Lyndon Rowe
Utilities Commissioner



ABOUT THE UTILITIES COMMISSION

1

The Utilities Commission (Commission) is a statutory authority established under the *Utilities Commission Act 2000*. It is the independent economic regulator for the Northern Territory, constituted by the Utilities Commissioner and Associate Commissioner.

The object of the *Utilities Commission Act 2000* is to create an economic regulatory framework for regulated industries that promotes and safeguards competition and fair and efficient market conduct or, in the absence of a competitive market, promotes the simulation of competitive market conduct and prevention of misuse of monopoly power.

Primary purpose and vision

The Commission considers its primary purpose is to protect the long-term interests of Territory consumers of services provided by regulated industries with respect to price, reliability and quality.

The Commission's vision is to benefit Territorians by promoting strong economic outcomes through effective regulation, well-informed and transparent decision-making and robust, independent advice.

Powers and functions

The *Utilities Commission Act 2000* (section 6(1)) defines a general set of functions for the Commission, however its specific roles in regulated industries are defined in industry-specific legislation.

The Commission's key regulatory functions are to:

- regulate prices and access
- perform licensing functions across the electricity supply, water supply and sewerage services industries
- develop, monitor and enforce compliance with and promote improvement in standards and conditions of service and supply
- make, monitor the operation of and review from time to time codes and rules relating to the conduct or operations of a regulated industry or licensed entities
- investigate and help resolve complaints relating to the conduct or operations of licensed entities
- assist consumers and others with information
- provide advice to the minister on any matters referred by the minister.

In performing its functions, the *Utilities Commission Act 2000* requires the Commission have regard to the need to:

- promote competitive and fair market conduct
- prevent misuse of monopoly or market power
- facilitate entry into relevant markets
- promote economic efficiency
- ensure consumers benefit from competition and efficiency
- protect the interests of consumers with respect to reliability and quality of services and supply in regulated industries
- facilitate maintenance of the financial viability of regulated industries
- ensure an appropriate rate of return on regulated infrastructure assets.

The Commission must also consider any relevant objectives in industry-specific legislation.

Regulated industry legislation overview

The *Utilities Commission Act 2000* establishes the Commission's objectives, functions and powers.

Electricity supply industry

In accordance with the *Electricity Reform Act 2000*, the Commission administers a licensing regime and industry codes for industry participants, regulates a pricing order made by the government, prepares annual reviews of the Territory's power system and the electricity supply industry, and deals with complaints relating to the conduct or operations of licensed entities.

The Commission also has some responsibilities under the National Electricity Rules (NER), as amended for the Territory's circumstances.

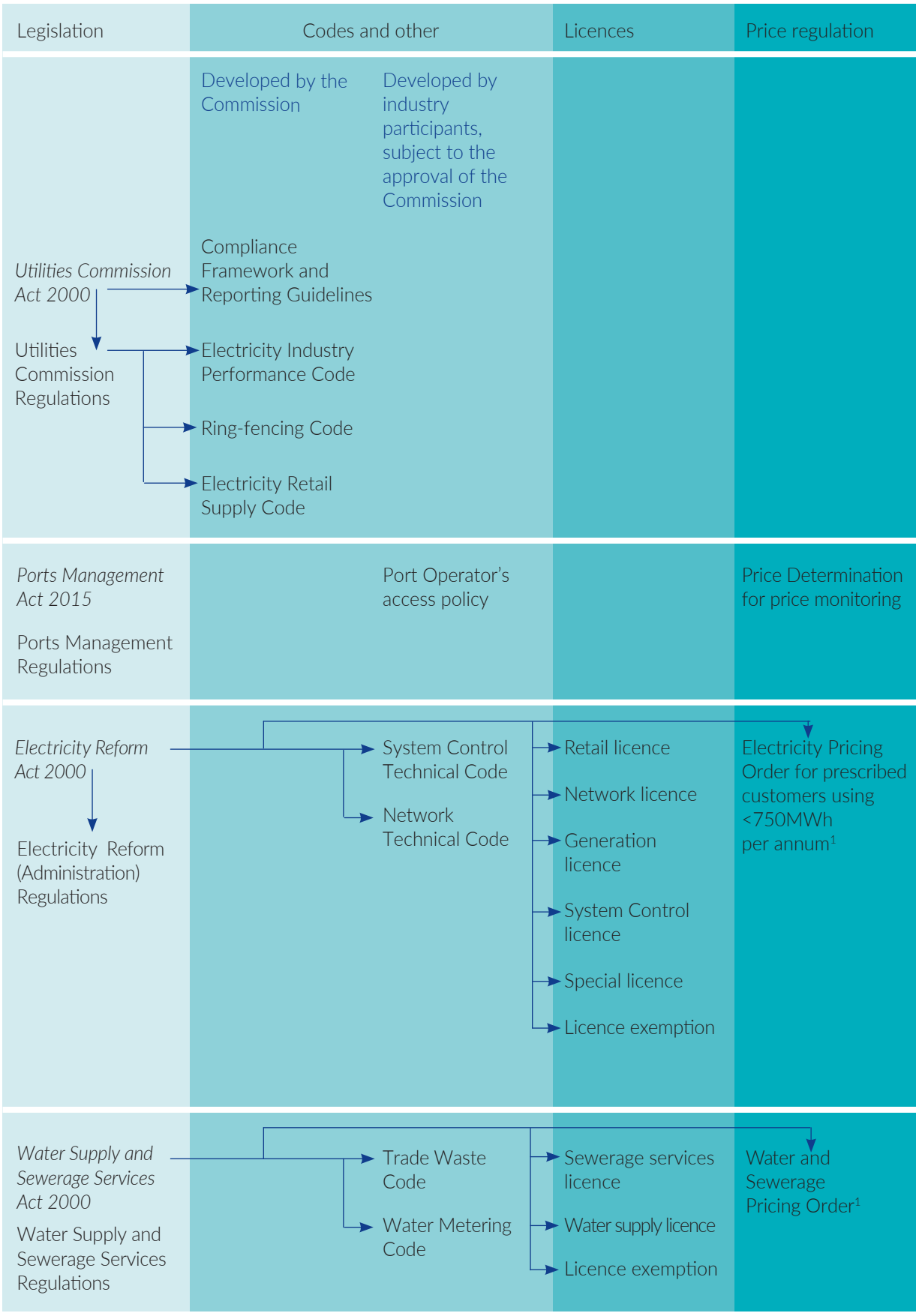
Ports industry

In accordance with the *Ports Management Act 2015*, the Commission administers a pricing and access regime for prescribed services provided by a private port operator and a private pilotage provider at a designated port (currently only the Port of Darwin).

Water supply and sewerage services industry

In accordance with the *Water Supply and Sewerage Services Act 2000*, the Commission administers a licensing regime and industry codes for industry participants, regulates a pricing order made by the government and deals with relevant complaints.

Figure 1: Legislative framework administered by the Commission during 2025-26



1 The minister issues pricing orders. The Commission is responsible for compliance, monitoring, enforcement and investigation of complaints from customers in relation to pricing orders.

The Commission

Commissioners

Lyndon Rowe was initially appointed Utilities Commissioner (part-time) from 1 January 2019 for five years. A second five-year appointment commenced on 1 January 2024. He previously served as an Associate Commissioner (appointed on 6 April 2018). From 2014 to 2017, he was the full-time Chair of the Electricity Generation and Retail Corporation of Western Australia (trading as Synergy). For the previous 10 years, Mr Rowe was the inaugural Executive Chair of the Economic Regulation Authority of Western Australia. He is a Fellow of the Australian Institute of Company Directors and holds an economics degree from the University of Adelaide.

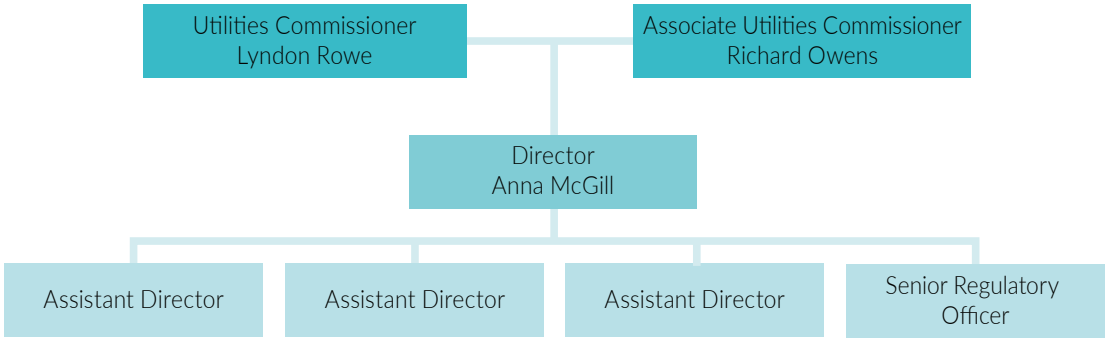
Richard Owens was appointed as Associate Utilities Commissioner (part-time) on 6 April 2018. He is also Senior Commissioner of the Independent Competition and Regulatory Commission of the Australian Capital Territory and a director at farrierswier consulting. His previous roles include Executive General Manager at the Australian Energy Market Commission, leading an independent expert review into electricity transmission planning for the New South Wales Minister for Energy, a member of the secretariat for the Finkel review into the National Electricity Market, and a member of the Australian Energy Market Operator's Consumer Panel for the Integrated System Plan. He also previously worked as a lawyer in major law firms and government specialising in utility regulation, competition and consumer law. He has a Bachelor of Laws (Hons) and a Master of Laws, and is a graduate of the University of California, Berkeley Executive Leadership Program. Mr Owens is a fellow of the Australian Institute of Energy and a graduate member of the Australian Institute of Company Directors.

Commission staff

Section 13 of the *Utilities Commission Act 2000* provides for the staff of the Commission to comprise Territory public servants assigned to assist the Commission.

At 30 June 2026, the Commission was supported by five staff seconded from the Department of Treasury and Finance and located in Darwin.

Figure 2: Organisational chart at 30 June 2026



Commission meetings and decisions

The commissioners and Commission staff meet regularly to consider and discuss Commission tasks, obligations and issues. During 2025-26, the Commission formally met 10 times.

In addition to meetings, the Commission considered various issues and made 17 associated out-of-session decisions.

Appendix A sets out the Commission meetings, dates and attendance, and major decisions made during 2025-26.

Engagement with stakeholders

The commissioners and Commission staff seek to engage with stakeholders regularly, genuinely and transparently, including meeting face to face or by videoconference as necessary, to build and maintain strong relationships, build an understanding of economic and regulatory issues, including those of the Territory's regulated industries, and enable the Commission to make the best, most informed decisions.

The commissioners and Commission staff met regularly with stakeholders throughout 2025-26, including in person in Darwin. This included licensees, representative bodies, relevant ministers and government department staff.

Commission funding

The Commission is funded directly from consolidated revenue through the Department of Treasury and Finance. Appendix B provides a summary of the Commission's financial outcomes in 2025-26. Total direct expenditure for 2025-26 was $1.304 million.

The Commission charges licence application fees and annual licence fees, which are receipted directly into consolidated revenue. Fees are fixed for each type of licence by the minister and is an amount the minister considers to be a reasonable contribution towards administrative costs of the Commission. Total licence fee revenue for 2025-26 was $1.645 million, which relates primarily to electricity supply industry licences.

The Commission engages consultants and legal advisers for expert advice (see Appendix C for additional detail). Total expenditure on advice was $0.224 million in 2025-26.



PERFORMANCE SUMMARY

2

This chapter details the key highlights for the Commission in undertaking its functions in 2025-26 and its key priorities for 2026-27.

Highlights for 2025-26

Electricity Industry Performance Code review

The Electricity Industry Performance Code sets out the performance standards and reporting requirements for electricity entities in the Territory. The code helps to ensure these entities meet specified standards of service, contributing to the reliability and quality of electricity supply for consumers.

In September 2024, the Commission commenced a review of the code. The purpose of the review was to address identified issues, incorporate feedback from stakeholders as considered appropriate, and ensure it is effective and relevant.

Following consideration of feedback received from stakeholders to its consultation paper, in May 2025 the Commission published a draft decision paper and a draft amended Electricity Industry Performance Code. Eight submissions were subsequently received from seven stakeholders and considered during 2025-26.

On 12 March 2026, the Commission published its final decision in relation to the Electricity Industry Performance Code review and a final varied Electricity Industry Performance Code. The amendments focused on the generation services performance indicators in schedule 2 of the code to ensure they remain appropriate and proportionate, and on the retail service performance indicators in schedule 4 of the code to maintain alignment with the Australian Energy Regulator's Retail Performance Reporting Guidelines (version 3).

The varied Electricity Industry Performance Code commenced on 1 July 2026.

2027–2032 Review of system control and market operator charges

The Northern Territory Electricity System and Market Operator (NTESMO) is a business unit within Power and Water Corporation (PWC) that is responsible for system control functions in the Darwin-Katherine, Alice Springs and Tennant Creek power systems, and wholesale market operations in the Darwin-Katherine power system. Under section 39 of the *Electricity Reform Act 2000*, NTESMO recovers the efficient cost of its services through charges on retailers, approved by the Commission. The current 2024–2027 regulatory period ends on 30 June 2027.

The Commission commenced work in relation to system control and market operator charges for the 2027-28 to 2031-32 regulatory period during 2025-26.

In May 2026, PWC submitted an initial proposal to the Commission for system control and market operator charges for the 2027–2032 regulatory period. As the first step in its review, the Commission published PWC's initial proposal and a consultation paper highlighting key elements of NTESMO's initial proposal, and provided observations and questions to guide feedback.

Feedback on PWC's initial proposal is due by 4 August 2026 and will inform the Commission's draft decision, expected in late 2026.

Trade Waste Code approval

On 27 March 2026, following extensive feedback from the Commission to PWC on PWC's initial draft amendments and consultation material, PWC submitted a revised Trade Waste Code to the Commission for approval. The Commission's review of the final revision of the Trade Waste Code found it complied with requirements under the *Water Supply and Sewerage Services Act 2000* and provided appropriate procedures to manage trade waste, consistent with good industry practice and nationally accepted standards. The Commission was satisfied that PWC had undertaken appropriate consultation with relevant stakeholders and subsequently approved the revised Trade Waste Code on 28 April 2026.

Power system reporting

To meet its legislated reporting requirements to the minister and inform government, licence holders and stakeholders, during 2025-26 the Commission published the:

- 2024-25 Northern Territory Electricity Retail Review, focusing on retail performance and quality of service provided to residential and small business electricity customers (those consuming less than 160 MWh per annum)
- 2024-25 Northern Territory Power System Performance Review, focusing on the generation and network performance of the Darwin-Katherine, Alice Springs and Tennant Creek power systems (the regulated power systems)
- 2025 Northern Territory Electricity Outlook Report Update, which presents a high-level, qualitative assessment of whether there have been material changes since the 2023 Northern Territory Electricity Outlook Report
- 2024-25 Nhulunbuy Power System Performance Report, providing an assessment of that reported by RTA Gove Pty Ltd.

Price monitoring – Port of Darwin

One of the Commission's roles is to regulate standard charges for prescribed services for the Port of Darwin. Consistent with the regulatory framework and the Commission's price determination, the Commission uses the national consumer price index (CPI) to monitor and report on pricing for prescribed services at the Port of Darwin.

On 11 November 2025 Landbridge Darwin Port (Darwin Port) advised the Commission that following feedback and consultation with certain port users, it intended to remove a charge for cancelling a request for a pilot with less than 12 hours but more than two hours notice from 1 December 2025. Darwin Port advised it would credit all customers charged the tariff since it was introduced on 1 July 2025.

On 29 May 2026, Darwin Port advised the Commission it would be increasing most of its standard charges for prescribed services by 4.6% from 1 July 2026. Pilotage charges would increase by 4.3%, with port induction fees and administration fees to remain unchanged. Darwin Port also made several amendments to its tariff schedule to clarify the application of existing charges.

The Commission advised stakeholders of the Darwin Port's tariff changes through publishing the details on its website. Trends in standard charges and revenue received for prescribed services at the Port of Darwin are discussed in the Commission's annual ports price monitoring report.

In October 2025, the Commission published its 2025 Ports Annual Price Monitoring Report. The 2025 report showed annual changes in Darwin Port's charges was above the annual increase in the Commission's chosen benchmark (March quarter 2025 CPI) of 2.4%, and total revenue received by Darwin Port in 2024-25 for prescribed services at the Port of Darwin increased by 18%, driven by growth in revenue from wharfage and berthage.

Compliance

The Commission has a targeted, risk-based approach to compliance and enforcement whereby it seeks to effectively monitor and report on regulated entities' compliance, and focus enforcement action where the risks and potential impacts are greatest.

As a condition of licence, licensees are required to maintain and report on their compliance framework. Annual compliance reports relating to electricity supply, water supply and sewerage services are due annually, as set out in the Commission's Compliance Framework and Reporting Guidelines.

In the interests of transparency and consistent with the practices of other jurisdictions, the Commission publishes a summary of the compliance reports received, a description of the breaches reported by each licensee and remedial action proposed or taken by the licensee in order to resolve the breach, and the enforcement action taken by the Commission, if any. The Commission's Annual Compliance Monitoring Report relating to 21 licences on issue during the 2024-25 reporting period was published in January 2026.

During 2025-26, the Commission also required or requested (as appropriate) a number of licensees to undertake audits or provide evidence of their compliance with various regulatory obligations. The Commission is actively monitoring relevant licensees' implementation of audit recommendations and remedial actions in relation to identified breaches, including breaches of life support equipment obligations.

In relation to compliance with the ports access and pricing regime, on 9 October 2025, the Commission reported to the minister it was not aware of any material breaches by Darwin Port in 2024-25, as required by the *Ports Management Act 2015*. Following tabling in the Legislative Assembly, the report to the minister was published on the Commission's website.

Complaints

The Commission has a role to investigate and help resolve complaints relating to the conduct or operations of licensed entities.

During 2025-26, the Commission was contacted by a notable number of customers regarding concerns with various electricity supply licensees and related matters, such as delayed billing and metering. The Commission provided guidance and assistance to these customers where possible.

In addition, to assist in addressing various queries and concerns from members of the public regarding utilities more broadly, including electricity supply, water supply and sewerage services, the Commission requested information from relevant licensees on an ad hoc basis.

Advice to the minister

No requests from the minister to provide advice in relation to the electricity supply industry were received during 2025-26. However during 2025-26, the minister requested advice from the Commission in relation to the economic regulation of water supply and sewerage services delivered by PWC under the *Water Supply and Sewerage Services Act 2000*. Work commenced in 2025-26, with the advice due to the minister during 2026-27.

The Commission continued to actively engage in providing advice to government in relation to various utilities and economic regulation matters, including electricity market reforms, expanded economic regulation of water supply and sewerage services and the introduction of access and pricing regulation for the Darwin ship lift.

General advice and information

Throughout 2025-26, the Commission published general information, consultation papers and decision advice on its website, and through email and e-newsletter updates. In addition, the Commission regularly provided advice and guidance to the public and other stakeholders on matters relevant to the Commission's work when contacted through its public communication channels.

Strategic plan and priorities

The Commission's 2025–2027 Strategic Plan sets out the Commission's organisational goals and planned actions to achieve these goals over 2024-25 to 2026-27. The Commission also publishes its annual priorities.

The Strategic Plan includes the following goals:

- targeted, risk-based approach to compliance and enforcement
- consultative and transparent decision-making
- add value
- be a capable and experienced regulator that values its people.

Completed 2025-26 priorities

The Commission delivered all 2025-26 priorities as published in its 2024-25 Annual Report.

Stakeholder survey

As part of its 2025–2027 Strategic Plan, the Commission priortised undertaking a regular stakeholder survey at least once every three-year period. The Commission's last stakeholder survey was conducted in 2023.

In March 2026, the 2026 survey was emailed to 100 stakeholders, published on the Commission's website and included in the Commission's newsletter. The 2026 survey asked 15 questions about stakeholders, their interaction with the Commission, their strength of agreement on the Commission's conduct and outputs and whether they were satisfied the Commission was achieving its objective of protecting the long-term interests of consumers. Feedback was also invited on the questions. Responses were received from 18 stakeholders (an 18% response rate). This represented a decline from the 2023 survey, in which 21 stakeholders responded (response rate 27%). Respondents to the 2026 survey were primarily from regulated and commercial businesses, and about half of respondents advised they had frequently engaged with the Commission over the 12 months prior to the survey (11 or more interactions).

The results from the 2026 survey are summarised below and compared with the 2023 and 2020 surveys where questions are comparable:

- 89% of stakeholders agreed or strongly agreed the Commission engages and communicates effectively with its stakeholders. This was an increase from 86% in the 2023 survey and 78% in the 2020 survey.
- 94% of stakeholders agreed or strongly agreed the Commission conducts itself in a professional manner. This was an increase from 91% in the 2023 survey and 81% in the 2020 survey.
- 83% of stakeholders agreed or strongly agreed the Commission provides independent and impartial advice and decisions. This was an increase from 72% in the 2023 survey.
- 78% of stakeholders agreed or strongly agreed the Commission is transparent and accountable in its actions. This was an increase from 71% in the 2023 survey and 69% in the 2020 survey.
- 72% of stakeholders agreed or strongly agreed the Commission holds regulated businesses accountable for compliance with regulatory obligations. This was a decrease from 81% in the 2023 survey but higher than the 2020 survey (44%).
- 78% of stakeholders agreed or strongly agreed the Commission's response in dealing with matters of non-compliance is transparent, appropriate and effective. This was an increase from 58% in the 2023 survey.
- 56% of stakeholders agreed or strongly agreed the Commission provides credible, useful and robust economic and regulatory advice and decisions. This was a decrease from 62% in the 2023 survey but comparable to the 2020 survey (also 56%).
- 83% of stakeholders agreed or strongly agreed the Commission's decisions and advice are clearly explained, well-informed, accurate and evidence based. This was an increase from 63% in the 2023 survey.
- 78% of stakeholders agreed or strongly agreed the type and quality of the reports published by the Commission meet the needs of stakeholders. This was an increase from 67% in the 2023 survey and was comparable with the 2020 survey (76%).
- 78% of stakeholders agreed or strongly agreed the Commission's processes are conducted in a timely manner. This was a decrease from 81% in the 2023 survey but remained higher than the 2020 survey (66%).
- 56% of stakeholders agreed or strongly agreed the Commission works to ensure its codes, guidelines and licences and other regulatory instruments are relevant and current. This was a decrease from 62% in the 2023 survey.
- 67% of stakeholders agreed or strongly agreed the Commission's website is up-to-date and easy to navigate. This was a decrease from 76% in the 2023 survey.
- 50% of stakeholders were satisfied or very satisfied the Commission was achieving its long-term objective of protecting the long-term interests of Territory consumers of services provided by regulated industries regarding price, reliability and quality. This was a decrease from 62% in 2023 survey, but higher than the 2020 survey (37%).

While the proportion of negative responses was relatively low, the Commission received negative feedback in relation to:

- inconsistency in the Commission's advice over time
- the electricity outlook report, including concerns the data only reflects approved projects
- a lack of reporting on remote service provision
- the performance and appearance of the Commission's website
- the length of time between consultations and final decisions.

2026-27 priorities

The Commission published its 2026-27 priorities on 29 May 2026. The Commission's 2026-27 priorities are to:

- monitor licensees' compliance with regulatory obligations including ensuring internal and independent audits of compliance, as appropriate
- publish an annual report of electricity supply, water supply and sewerage services licensees' compliance with regulatory obligations
- publish annual reports on power system and retail performance, and an assessment of the demand and supply outlook[1]
- publish an annual price monitoring report for the Port of Darwin
- deliver the Commission's annual report to the minister regarding any material instances of non-compliance with the private port operator's access policy and determinations made by the Commission
- commence a review of the Guaranteed Service Level Scheme pursuant to clause 4.7.1 of the Electricity Industry Performance Code
- prepare for and operationalise regulatory impacts arising from Territory electricity market reforms, expanded economic regulation of water and sewerage services and introduction of access and pricing regulation for the Darwin ship lift
- complete the review of the system control and market operator charges for the regulatory determination period 2027-28 to 2031-32
- engage with Territory Government to ensure adequate resourcing to deliver existing and new functions
- meet regularly with stakeholders, including site visits where possible
- identify and have staff participate in relevant professional development to support capacity uplift.

1 The Commission continues to meet its obligations under section 45 of the *Electricity Reform Act 2000* until amending legislation commences, which will repeal section 45.



ELECTRICITY SUPPLY INDUSTRY

3

Responsibilities under the *Electricity Reform Act 2000*

The electricity supply industry in the Territory is regulated under the *Electricity Reform Act 2000*, *Utilities Commission Act 2000* and associated legislation, and the National Electricity Law (NEL) and NER. This statutory framework was introduced in 2000, with parts of the NER, as modified, being progressively applied from 1 July 2016.

Under the *Electricity Reform Act 2000*, the Commission is responsible for certain regulatory functions in the electricity supply industry. Its activities relate mainly to licensing, codes and guidelines, price regulation, reporting, general compliance monitoring, complaints investigation and providing advice in relation to the Territory's electricity supply industry.

The Australian Energy Regulator is the regulator for third-party access and network pricing under the NEL and NER as applied in the Territory.

The objects of the *Electricity Reform Act 2000* are to:

- promote efficiency and competition in the electricity supply industry
- promote the efficient generation, transmission, distribution and selling of electricity
- establish and enforce proper standards of reliability and quality in the electricity supply industry
- establish and enforce proper technical standards for electrical installations
- facilitate the maintenance of a financially viable electricity supply industry
- protect the interests of consumers of electricity.

The *Electricity Reform Act 2000* and Administrative Arrangements Order allocate ministerial responsibility for the *Electricity Reform Act 2000* as follows:

- the Minister for Mining and Energy is responsible for economic regulation (energy) and utilities market regulation (energy)
- the Treasurer is responsible for price regulation and setting licence fees
- the Minister for Essential Services is responsible for supply and service provision under licence.

Licensing

The Commission is responsible for administering the licensing of the electricity supply industry in the Territory.

Under the *Electricity Reform Act 2000*, the following operations must be licensed:

- generation of electricity
- owning or operating an electricity network or a dedicated connection asset
- selling electricity
- system control over a power system
- other operations for which a licence is required by the Regulations.

Consistent with these requirements, the Commission has established standard licence types as set out in Table 1 for participation in the electricity supply industry. The Commission may also issue non-standard (special) licences in particular circumstances, for example, a combined licence for a single entity that generates, distributes and retails electricity to customers in a remote mining township.

Table 1: Types of licences currently issued

Licence type	Description
Generation licence	Authorises the electricity entity to generate electricity for sale to electricity entities holding generation or retail licences (or as otherwise stated in the licence).
Network licence	Authorises the electricity entity to own and or operate the electricity network in the geographical area stated in the licence. If stated in the licence, it allows entities to connect the electricity network to another electricity network.
Retail licence	Authorises the electricity entity to trade in electricity (where 'trade' means buying and selling electricity other than to final consumers) and retail electricity to customers (where 'retail' means selling electricity to specified groups of final consumers).
System control licence	Authorises the electricity entity to monitor, plan and control the operation of the power system with a view to ensuring the system operates safely and securely. It provides the authority to issue directions to other licensed electricity entities. The Electricity Reform (Administration) Regulations prescribe operating a wholesale market as an operation for which a licence is required. The regulations also stipulate that for the Darwin-Katherine power system, the entity licensed for system control is also authorised to operate a wholesale market in relation to that power system (that is, the Interim Northern Territory Electricity Market), but is exempt from the requirement to hold a licence for its activities as market operator. A system control licence is only issued where the power system is of sufficient size and complexity to warrant monitoring and control 'at arm's length'. In isolated communities the management of system loads and frequency control is typically undertaken by the network provider.

The Commission has previously issued Independent Power Producer and Isolated System licences, however these licence types are considered legacy arrangements and are no longer applicable for future licences.

New, varied and transferred licences during 2025-26

No new licences were issued in 2025-26.

On 14 October 2025, the Commission approved a variation to EDL NGD (NT) Pty Ltd's (EDL) generation licence to correct an inconsistency in the generating plant description in schedule 1 of the licence.

Three generation licences were transferred during 2025-26. These were:

- the generation licence for the Batchelor solar power station from Eni Australia Limited (Agent) and Eni New Energy Batchelor Pty Ltd (Principal) to Eni Plenitude Renewables Batchelor Pty Ltd
- the generation licence for the Katherine solar power station from Eni Australia Limited (Agent) and Eni New Energy Katherine Pty Ltd (Principal) to Eni Plenitude Renewables Katherine Pty Ltd
- the generation licence for the Manton Dam solar power station from Eni Australia Limited (Agent) and Eni New Energy Manton Dam Pty Ltd (Principal) to Eni Plenitude Renewables Manton Dam Pty Ltd.

Current generation licences

At 30 June 2026, there were 11 standard generation licences in the Territory. The standard generation licensees were:

- Assure Energy Asset Pty Ltd, as trustee for the Assure Energy Asset Trust, for a 10 megawatt (MW) alternating current (AC) solar photovoltaic (PV) power station and 3.02 MW AC battery energy storage system at Robertson Barracks, and a 3.2 MW AC solar PV power station and 0.98 MW AC battery energy storage system at RAAF Base Darwin
- BSF Co Pty Ltd, as trustee for the BSF Unit Trust, for a 10 MW AC solar PV power station at Batchelor
- Darwin International Airport Pty Limited, for a 7.75 MW AC solar PV plant and 3.3 MW back-up diesel generating plant at Darwin International Airport
- EDL for a 23 MW gas-fired generating plant and 7 MW steam driven generating plant at the Pine Creek power station
- EDL Jabiru Pty Ltd for a 4.5 MW diesel generating plant, a 3.845 MW AC solar PV plant and 4.95 MW AC battery energy storage system at the Jabiru power station
- Eni Plenitude Renewables Batchelor Pty Ltd for a 10MW AC solar PV Plant at Batchelor
- Eni Plenitude Renewables Katherine Pty Ltd for a 25 MW AC solar PV plant and 5.7 MW AC battery energy storage system at Katherine
- Eni Plenitude Renewables Manton Dam Pty Ltd for a 10 MW AC solar PV plant at Manton Dam
- HCPS Co Pty Ltd as trustee for the HCPS Unit Trust, for a 15 MW gas-fired power station (Hudson Creek power station) at Wishart, Darwin
- Power Generation Corporation (trading as Territory Generation), which owns and operates various power stations including Channel Island, Weddell, Katherine, Tennant Creek, Ron Goodin, Owen Springs, Yulara and Kings Canyon. Generating plant comprises gas-fired, steam driven and diesel plant, and battery energy storage systems
- PWC, which owns and operates power stations at Berrimah (decommissioned), in Aboriginal communities under the Indigenous Essential Services Pty Ltd (IES) program and minor commercial power stations (Elliott, Daly Waters, Ti Tree, Timber Creek and Borroloola).

Current retail licences

At 30 June 2026, there were seven electricity retailers licensed in the Territory. The retail licensees were:

- Department of Defence to sell electricity generated from behind the meter at RAAF Base Darwin and Robertson Barracks to electricity entities holding a retail licence
- EDL to sell and retail electricity to customers in the Alice Springs, Darwin, Katherine, and Tennant Creek electricity systems
- Next Business Energy Pty Ltd to sell and retail electricity to customers in the Alice Springs, Darwin, Katherine and Tennant Creek electricity systems

- Power Retail Corporation (trading as Jacana Energy) to sell and retail electricity to customers in the Alice Springs, Borroloola, Daly Waters, Darwin, Elliott, Katherine, Kings Canyon, Newcastle Waters, Tennant Creek, Timber Creek, Ti Tree and Yulara electricity systems
- PWC to sell and retail electricity to customers in the Alyangula, Jabiru, McArthur River mine and Nhulunbuy electricity systems, and to customers in electricity systems in Aboriginal communities under the IES program
- Rimfire Energy Pty Ltd to sell and retail electricity to customers in the Alice Springs, Darwin, Katherine and Tennant Creek electricity systems
- Territory Generation to sell and retail electricity to the Department of Defence at the Joint Defence Facility Pine Gap.

Current network and system control licences

PWC holds a network licence to own and operate the electricity network in designated regulated and non-regulated electricity networks. It also holds a system control licence for the Alice Springs, Darwin-Katherine and Tennant Creek power systems.

Current special licences

As of 30 June 2026, there were five special independent power producer licences held by:

- EDL for 68 MW of gas-fired generating plant at the McArthur River Mine site and electricity sales to McArthur River Mining Pty Ltd
- Energy Resources of Australia Ltd for 12.3 MW of diesel generating plant at the Ranger uranium mine site and electricity sales to parties specified in schedule 2 of the licence
- LMS Energy Pty Ltd for 1.1 MW of landfill gas-fuelled generation at the Shoal Bay renewable energy facility
- TKLN Solar Pty Ltd for various remote solar PV systems at Ti Tree, Kalkarindji and Alpurrurulam
- Uterne Power Plant Pty Ltd for a 4 MW AC solar PV plant at Alice Springs.

There was one special isolated system operations licence at 30 June 2026, which is held by Groote Eylandt Mining Company Pty Ltd for electricity generation, electricity sales, and owning and operating a network at Alyangula.

Exemptions from licensing

The Electricity Reform (Administration) Regulations 2000 provide an exemption from the requirement to be licensed for some activities. Licences are not currently required for:

- own-use generation and low volume sales of electricity
- on-supply of electricity subject to the on-supplier complying with certain conditions.

The Commission may, under section 87 of the *Electricity Reform Act 2000* and with the approval of the minister, grant an exemption from the requirement to be licensed. At 30 June 2026, there were eight section 87 *Electricity Reform Act 2000* exemptions, including two new exemptions issued during 2025-26:

- a new exemption issued on 4 July 2025 to Aggreko Generator Rentals Pty Limited for a generating plant to supply electricity to RTA Gove's mining operation and the local town of Nhulunbuy and the supply and sale of electricity to RTA Gove Pty Limited (RTA Gove)
- a new exemption issued on 30 June 2026 to Zenith Pacific (DBS-GTS) Pty Ltd for the ownership, operation and maintenance of electricity network infrastructure in the geographical area associated with the Tanami Mine, and the supply and sale of electricity to Newmont Tanami at the Tanami Mine
- an exemption issued to the Department of Defence from the requirement to hold a network licence to own or operate its electricity network at RAAF Base Darwin and Robertson Barracks
- an exemption issued to RTA Gove from the requirement to hold a licence regarding its electricity operations in the township of Nhulunbuy and at the mine
- the small scale generation operations exemption – a class exemption issued for an on-site generation plant of up to 2 MW and sale of any residual electricity from the plant that is exported to the distribution network
- the small scale generation power purchase agreements exemption – a class exemption issued for an on-site generation plant of up to 2 MW that is owned by a third party, and the sale of electricity generated from the plant to owners or occupiers of the site and any residual electricity exported to the distribution network. The exempt third party must register its operations with the Commission
- the electric vehicle (EV) charging stations exemption – exempts operators of EV charging stations from the requirement to hold network or retail licences
- the virtual power plants exemption – exempts operators of virtual power plants to a maximum of 2 MW from the requirement to hold a generation or retail licence. Operators of virtual power plants must register their operations with the Commission.

Codes and guidelines

Electricity Industry Performance Code review

The Electricity Industry Performance Code sets out the performance standards and reporting requirements for electricity entities in the Territory. The code helps to ensure these entities meet specified standards of service, contributing to the reliability and quality of electricity supply for consumers.

In September 2024, the Commission commenced a review of the code through publication of a consultation paper. The purpose of the review was to address identified issues, incorporate feedback from stakeholders as considered appropriate, and ensure it is effective and relevant.

Ten submissions (from nine submitters) were received in response to the consultation paper. Following consideration of the feedback received from stakeholders, the Commission published its 2024 Electricity Industry Performance Code Review Draft Decision Paper and a draft amended Electricity Industry Performance Code in May 2025.

Eight submissions (from seven submitters) were received in relation to the Commission's draft decisions on amendments to the Electricity Industry Performance Code.

On 12 March 2026, the Commission published its final decision in relation to the Electricity Industry Performance Code review and a final varied Electricity Industry Performance Code. The amendments focused on the generation services performance indicators in schedule 2 of the code to ensure they remain appropriate and proportionate, and on the retail service performance indicators in schedule 4 of the code to maintain alignment with the Australian Energy Regulator's Retail Performance Reporting Guidelines (version 3).

The varied Electricity Industry Performance Code commenced on 1 July 2026.

Price regulation

The Commission regulates certain prices in the monopoly sectors of the Territory's electricity supply industry and other relevant prices, in accordance with industry legislation.

Electricity pricing orders

Retail electricity prices charged to residential and commercial customers (those consuming less than 750 megawatt hours (MWh) of electricity per annum) are regulated by the Territory Government through a pricing order made by the Treasurer under section 44 of the *Electricity Reform Act 2000*.

Electricity retail prices for 2025-26 were regulated under an Electricity Pricing Order made by the Treasurer. An initial Electricity Pricing Order was made by the Treasurer on 25 June 2025 to cover the full financial year from 1 July 2025 to 30 June 2026. This was subsequently revoked and replaced by a new Electricity Pricing Order effective 1 January 2026 to 30 June 2026.

The Commission is required to enforce compliance with the pricing order as if the order were a determination of the Commission under the *Utilities Commission Act 2000*.

At 30 June 2026, the Commission was aware of one material breach related to overcharging. In this instance, all impacted customers were credited by the relevant licensee for the overcharges and the Commission is actively monitoring the licensee's completion of further remedial actions.

2024–2027 System control and market operator charges

NTESMO is a business unit within PWC that is responsible for system control functions in the Darwin-Katherine, Alice Springs and Tennant Creek power systems, and wholesale market operations in the Darwin-Katherine power system. Under section 39 of the *Electricity Reform Act 2000*, NTESMO recovers the efficient cost of its services through charges on retailers, approved by the Commission. The current 2024–2027 regulatory period ends on 30 June 2027.

In April 2026, PWC submitted its 2026-27 annual pricing proposal and supporting model for system control and market operator charges to be applied by NTESMO. The Commission assessed the pricing proposal as compliant with its final decision for the 2024–2027 regulatory period and approved the proposed charges on 28 April 2026. The charges are the maximum that can be charged for services provided by NTESMO with respect to PWC's regulated electricity networks.

2027–2032 Review of system control and market operator charges

Work in relation to system control and market operator charges for the 2027-28 to 2031-32 regulatory period commenced during 2025-26.

In May 2026, PWC submitted an initial proposal to the Commission for system control and market operator charges for the 2027–2032 regulatory period. As the first step in its review, the Commission published PWC's initial proposal and a consultation paper highlighting key elements of NTESMO's initial proposal and providing observations and questions to guide feedback.

Feedback on PWC's initial proposal is due by 4 August 2026 and will inform the Commission's draft decision, expected in late 2026. At 30 June 2026 no submissions to the consultation paper had been received.

Power system reporting

The Commission's position is that regular and comprehensive reporting on the electricity supply industry assists greater understanding and transparency of issues, and improves planning, investment, understanding of value for money (price compared to level of service) and general performance by holding electricity businesses accountable for their performance and impacts on customers.

The *Electricity Reform Act 2000* (section 45) requires the Commission to report to the minister and electricity entities on various matters in relation to the Territory's power system. Further, the Commission can advise the minister, either on its own initiative or at the request of the minister, on other electricity supply industry and market policy matters.

To meet its legislated reporting requirements, the Commission published four reports in 2025-26:

- 2024-25 Northern Territory Electricity Retail Review
- 2024-25 Northern Territory Power System Performance Review
- 2025 Northern Territory Electricity Outlook Report Update
- 2024-25 Nhulunbuy Power System Performance Report.

Each of these reports is discussed below, including a summary of key findings.

2024-25 Northern Territory Electricity Retail Review

The 2024-25 Northern Territory Electricity Retail Review was published on 19 February 2026. It focuses on retail market conditions in the Alice Springs, Darwin-Katherine and Tennant Creek power systems, and the performance and quality of services provided to residential and small business electricity customers, defined as consuming less than 160 MWh per annum by the Electricity Industry Performance Code.

The 2024-25 review found, among other things:

- retail competition in the Territory continues to be limited with only two active retailers in the Territory's major power systems and Jacana Energy remains the dominant retailer. However, Rimfire Energy increased its overall market share
- the Territory Government's community service obligation payment to retailers increased in 2024-25, providing an average subsidy of more than $1,500 per customer
- Jacana Energy and Rimfire Energy continued to perform strongly in 2024-25, forwarding at least 95% of calls to an operator within 30 seconds, although both recorded an increase in the rate of calls abandoned. If the Australian Energy Regulator's rating system was applied to these measures, both retailers would have achieved a rating of 'best' for their performance
- the percentage of customers making complaints to retailers and the number of approaches by Jacana Energy customers to Ombudsman NT increased in 2024-25
- the percentage of residential and small business customers with energy bill debt and the average amount of energy bill debt declined in 2024-25
- disconnection rates for non-payment increased in 2024-25. Among disconnected customers, the rate of re-connections within seven days rose for residential customers but declined for small business customers
- the percentage of residential customers on a payment plan or in a hardship program in the Territory increased in 2024-25
- prepayment meter self-disconnection events in the Territory's regulated power systems continue to be high, with over 60% of customers with prepayment meters recording one or more self-disconnection events during 2024-25.

The Commission works with retailers to identify potential improvements in performance reporting through reviews of the Electricity Industry Performance Code and the requirement for retailers to undertake independent data quality audits every three years.

2024-25 Northern Territory Power System Performance Review

The 2024-25 Northern Territory Power System Performance Review was published on 25 February 2026 and assesses the 2024-25 generation and network performance in the regulated power systems. By assessing performance, the report highlights any areas of concern, trends and emerging issues in the power systems, enabling better planning, investment decisions and value-for-money assessments for consumers.

The 2024-25 Northern Territory Power System Performance Review found that overall power system performance in the Territory was stable in 2024-25 in terms of the frequency of interruptions and improved in terms of the duration of interruptions. Territory-wide results, however, mask significant regional differences. Customers in Darwin and Alice Springs continued to experience comparatively stable reliability outcomes in 2024-25 while customers in Katherine and Tennant Creek experienced materially poorer outcomes, particularly in interruption frequency.

The following is a summary of the findings for 2024-25:

- the Darwin region maintained stable performance with 2.1 interruptions and 136 minutes without supply per customer, reflecting its more robust network and generation performance compared to other regions
- the Katherine region continued to experience challenges, recording an average interruption duration of 340 minutes (over 5.5 hours) and 8.7 interruptions per customer. These results highlight significant disparities in service levels within the Darwin-Katherine power system
- the Alice Springs region experienced an improved performance, with 2 interruptions and 76 minutes without supply per customer
- Tennant Creek experienced 7.6 interruptions and 146 minutes without supply. This represents a material deterioration in performance compared with 2023-24, when both interruption frequency and duration were at their lowest levels over the last eight years
- network-related issues are the primary driver of interruptions in most regions as regional disparities in service levels persist, with Katherine and Tennant Creek lagging behind Darwin and Alice Springs. This raises important questions about the balance between investment, service standards and customer expectations across regions
- ongoing work and outstanding actions are being progressed by relevant licensees however addressing persistent regional discrepancies may also require policy consideration by the Territory Government.

2025 Northern Territory Electricity Outlook Report Update

The 2025 Northern Territory Electricity Outlook Report Update was published on 24 June 2026. It presents a high-level, qualitative assessment of whether there have been material changes since the 2023 Northern Territory Electricity Outlook Report, which remains the Commission's most recent comprehensive baseline. The qualitative approach was adopted as a transitional measure as the Territory Government implements electricity market reforms, including work to establish a Regulated Electricity System Investment Plan and passage of the *Electricity Legislation Amendment (Market Reform) Act 2025* and *Electricity System and Market Operator Act 2025*.

The Commission's 2025 Northern Territory Electricity Outlook Report Update found the following:

Darwin-Katherine power system

- Demand outcomes remain broadly consistent with the 2023 outlook, although minimum demand continues to present operational system security challenges during periods of high behind-the-meter solar PV generation.
- Delayed retirements at Channel Island power station may improve the nominal capacity outlook by keeping some existing generation available for longer. However, the practical reliability benefits remain uncertain because they depend on the condition, availability and operation of ageing generators, as well as the timely delivery of committed and planned supporting assets.
- The Commission's risk assessment remains medium in the short term and high in the medium to long term.

Alice Springs power system

- The Alice Springs power system remains at medium risk across the outlook period.
- Maximum demand exceeded the most optimistic forecast in the 2023 NTEOR for two consecutive years, while minimum demand has been lower than forecast and remains an operational system security concern.
- The deferral of some Ron Goodin power station retirements provides only limited practical benefit given the age, forced outage history and operational constraints of the units. Without further investment or improved utilisation of existing generation, Alice Springs remains exposed to reliability and system security challenges.

Tennant Creek power system

- The Tennant Creek power system remains at low risk in the short and medium term, with no material demand-side changes identified since the 2023 Northern Territory Electricity Outlook Report. However, the planned retirement of five Tennant Creek power station units in the later years of the outlook reduces the long-term capacity buffer. The Commission has therefore cautiously raised the long-term risk assessment from low to medium.

Nhulunbuy Power System Performance Report 2024-25

RTA Gove operates under a section 87 exemption issued by the Commission under the *Electricity Reform Act 2000*. The exemption allows RTA Gove to operate in the Territory's electricity supply industry, including operating an electricity network in the township of Nhulunbuy.

RTA Gove's licence exemption requires RTA Gove to report against the Electricity Industry Performance Code in relation to network reliability outcomes and guaranteed service levels. Network reliability outcomes are reported using an unadjusted and adjusted system average interruption frequency index and system interruption duration index. Guaranteed service levels provide for payments to eligible customers when defined standards of service are not met. These payments are intended to acknowledge inconvenience and incentivise improved service, rather than provide compensation for loss or damage.

On 25 February 2026, the Commission published the Nhulunbuy Power System Performance Report 2024-25, which provides an assessment of that reported by RTA Gove. The assessment found:

- overall power system performance in Nhulunbuy improved in 2024-25, driven mainly by a substantial reduction in the duration of interruptions. However, customers continued to experience frequent interruptions, and network-related interruption frequency increased compared with 2023-24
- both overall power system and network-related outcomes remained materially worse than those experienced in the Territory's regulated power systems, including the Tennant Creek benchmark
- RTA Gove reported it met all of its guaranteed service levels in 2024-25 and was not required to make any payments to customers. Notably, however, guaranteed service levels exclude interruptions associated with a loss of generation and planned interruptions (which require appropriate notice prior to commencing).

Compliance

Life support equipment customer protections

The Electricity Retail Supply Code includes protections for customers that require life support equipment at their premises. The protections are implemented through obligations on retailers and network providers to advise each other of life support customers, keep updated registers of these customers and undertake specific actions designed to protect life support customers in relation to interruptions and disconnection.

The Commission considers any non-compliance with the life support provisions a serious matter as the failure to comply with these obligations could have detrimental and even fatal consequences. The Commission's Compliance Framework and Reporting Guidelines provides guidance on what constitutes a material breach of a compliance obligation. In considering whether a breach is material, one of the factors to be considered is whether the breach involved a contravention of a consumer protection, including protections for life support equipment customers.

The Compliance Framework and Reporting Guidelines requires electricity entities to provide an initial notification of a material breach within two business days of becoming aware of the breach. Within 20 business days (or other such time as agreed by the Commission), an electricity entity must advise the Commission of the circumstances and reasons for the material breach, consequences and the remedial action being undertaken to rectify the breach.

In January 2026, the Commission published the 2024-25 Annual Compliance Monitoring Report in which its concerns are discussed regarding life support equipment breaches during 2024-25, and the need for the Commission to continue to monitor licensees' implementation of remedial actions and future compliance.

During 2025-26, breaches of life support equipment obligations continued. No customers were harmed as a result of these breaches. More detail will be provided on the circumstances and the Commission's response to the 2025-26 life support equipment customer protection breaches in the upcoming 2025-26 Annual Compliance Monitoring Report.

Exemptions to compliance with various code obligations

The Electricity Industry Performance Code and Electricity Retail Supply Code include provisions for the Commission to issue an exemption to an electricity entity or other person that the relevant code applies to. An exemption releases the holder from the obligation to comply with one or more provisions. In deciding whether to issue, modify or cancel an exemption, the Commission must have regard to specified matters, such as the objects of the *Utilities Commission Act 2000* and the *Electricity Reform Act 2000*.

The Commission publishes a register on its website that provides details of exemptions issued under its codes. The register supports transparency by enabling stakeholders to view current approved exemptions, including the reason and expiry date or conditions.

During 2025-26, the Commission approved one exemption under the Electricity Industry Performance Code. The exemption was for HCPS Co Pty Ltd in relation to reporting actual performance against generator performance indicators for the 2024-25 reporting period. The Commission's reasoning was that HCPS Co Pty Ltd was not operational for the majority of the reporting period and there would be little benefit in the reporting.

Various exemptions to Electricity Retail Supply Code provisions were issued to licensees during 2025-26:

- On 24 July 2025, the Commission approved exemptions for EDL from compliance with obligations in relation to life support, hardship and family violence policies on the basis that EDL has no retail customers. The exemption is ongoing until EDL has a retail customer.
- On 4 September 2025, the Commission approved exemptions for Groote Eylandt Mining Company Pty Ltd from obligations in relation to publishing life support, hardship and family violence policies subject to the condition it continues to action agreed alternative publication approaches.
- On 26 February 2026, the Commission approved a 12-month partial exemption for PWC from the obligation to identify and contact prepayment meter customers residing in certain IES communities and outstations where the existing class of magnetic card prepayment meters do not require cellular access to operate. This was approved on the basis these meters are not smart meters and therefore do not provide PWC with remote access to the information required to identify if a prepayment meter customer is experiencing hardship, in addition to PWC's challenges with obtaining prepayment meter customer contact details linked to the Territory Government's IES tenancy arrangement.

  Following PWC's update to the Commission on 30 June 2026, the list of communities covered by this exemption was amended to remove nine communities. The exemption continues to apply to the communities and outstations listed in the exemption.

  The exemption is time-limited to encourage the continued upgrading of metering infrastructure, raising awareness of hardship support options within affected communities and exploring alternative solutions to identify hardship in areas without cellular connectivity.

System Control incident reporting

Under the System Control Technical Code, the system controller is required to report power system incidents that occur within the parameters of the code to the Commission. The Commission's view is this incident reporting is vital to ensure System Control is identifying and addressing problems with relevant system participants as appropriate, and learning lessons from this to ensure ongoing reliability and quality of electricity services and supply.

The Commission monitors System Control's compliance with System Control Technical Code incident reporting obligations on an ongoing basis. At 30 June 2026, the Commission was not aware of any issues regarding System Control's compliance with its incident reporting obligations.

Complaint investigation

Under section 48 of the *Electricity Reform Act 2000*, the Commission must investigate complaints against any electricity entity made on the grounds the entity is engaging in conduct contrary to its licence conditions or the objects of the *Electricity Reform Act 2000* or the *Utilities Commission Act 2000*.

The Commission is exempt from investigating a complaint if it believes the complainant is not or unlikely to be adversely affected by the alleged complaint, the complainant has not shown a genuine attempt to resolve the complaint with the electricity entity, or the complaint is frivolous or vexatious.

During 2025-26, there were no complaint investigations required under the *Electricity Reform Act 2000*. However, the Commission was contacted by a notable number of customers regarding concerns with various electricity supply licensees and related matters, such as delayed billing and metering. The Commission provided guidance and assistance to these customers where possible.

Advice to the minister

The Commission provides independent advice to the minister on matters such as utility pricing, service quality and security of supply.

Advice to the minister can be provided:

- when the minister refers a matter to the Commission under Part 7 of the *Utilities Commission Act 2000*, which is a public inquiry, and the Commission's final report must be tabled in the Legislative Assembly
- when the minister requests advice from the Commission in accordance with section 6(1)(g) of the *Utilities Commission Act 2000*, which may include a requirement in the terms of reference that the report setting out the Commission's findings and recommendations remains confidential to government.

The Commission is also empowered to provide advice to the minister on the electricity supply industry and market policy matters, either on its own initiative or at the request of the minister, in accordance with section 45(1)(d) of the *Electricity Reform Act 2000*.

No requests from the minister to provide advice in relation to the electricity supply industry were received during 2025-26.



PORT ACCESS AND PRICE REGULATION

4

Responsibilities under the *Ports Management Act 2015*

The *Ports Management Act 2015* and Ports Management Regulations 2015 (Ports Regulations) provide for the control, management and operation of ports, and related purposes. The Minister for Logistics and Infrastructure is responsible for the *Ports Management Act 2015* and Ports Regulations.

The Commission is the regulator for Part 11 of the *Ports Management Act 2015* and Part 3 of the Ports Regulations, which establish the ports access and pricing regime for Territory ports. The access regime is the negotiate-arbitrate type, while the pricing regime is based on price monitoring. The object of Part 11 and associated Ports Regulations is to promote the economically efficient operation and use of, and investment in major port facilities in the Territory by which services are provided, to promote effective competition in upstream and downstream markets.

Under the *Ports Management Act 2015*, a private port operator and private pilotage provider is taken to be a licensed entity for the purpose of the *Utilities Commission Act 2000*, as it applies to the regime.

The Commission regulates access to, and pricing of prescribed services provided by a private port operator and a private pilotage provider of a designated port, that is, Darwin Port for the Port of Darwin.

The port services regulated by the Commission, as prescribed by Regulation 12, are:

- providing or allowing for access for vessels to the designated port
- providing facilities for loading or unloading vessels at the designated port
- providing berths for vessels at the designated port
- providing or facilitating the provision of pilotage services in a pilotage area within the designated port
- allowing entry of persons and vehicles to any land on which port facilities of the designated port are located.

As required by the regulatory regime, the Commission has issued a price determination and reporting guidelines, and has approved Darwin Port's access policy for the Port of Darwin.

The Commission's role in port regulation was established with the intention of being a light-handed regulatory regime, with the threat of stronger regulation if justified.

Port access policy

Under Part 11 Division 2 of the *Ports Management Act 2015*, the Commission has the function of approving an access policy from a private port operator for prescribed services at a designated port. The private port operator is required by legislation to comply with its access policy.

The access policy provides a framework for port users requesting access to prescribed services, the approach to be taken by the private port operator in determining access and the terms on which access will be provided at the Port of Darwin. The Commission must approve a draft access policy if it meets the requirements of the *Ports Management Act 2015*, Ports Regulations and any matters specified by the minister by Gazette notice. Section 127(10) of the *Ports Management Act 2015* limits the term of an access policy to a period of five years after the date on which it was approved.

Darwin Port's existing access policy was approved by the Commission on 2 November 2023. Section 127(1) of the *Ports Management Act 2015* requires Darwin Port to give the Commission a draft of its next access policy before the existing access policy nominally expires on 2 November 2028.

2025–2028 Ports Price Determination

The *Ports Management Act 2015* and Ports Regulations establish the requirement and framework for the Commission to make a determination relating to charges fixed by a port operator and private pilotage provider for the provision of prescribed services. The Ports Regulations require the determination to use price monitoring of the price levels of prescribed services as the form of price regulation. Section 132(4) of the *Ports Management Act 2015* restricts the term of a price determination to a maximum period of three years.

The current 2025–2028 Prescribed Port Services Price Determination Port of Darwin in relation to charges fixed by a private port operator and private pilotage provider for prescribed services at the Port of Darwin commenced on 16 February 2025 and expires on 15 February 2028.

Price monitoring

Price regulation only applies to standard charges for prescribed services and the form of price regulation is price monitoring under the Ports Regulations. Consistent with the regulatory framework and the Commission's price determination, the Commission uses the national CPI to monitor and report on pricing for prescribed services at the Port of Darwin.

Under the regime, a private port operator and private pilotage provider set the prices for standard charges for prescribed services but must provide 20 days' notice to the Commission if they intend to introduce, change or remove a charge. The private port operator and private pilotage provider are also required to publish the changes and new charges on its website 10 days before they take effect. Since commencing as the private port operator and private pilotage provider for the Port of Darwin, Darwin Port has met its reporting and publication requirements for pricing.

On 11 November 2025, Darwin Port advised the Commission that following feedback and consultation with certain port users, it intended to remove a charge for cancelling a request for a pilot with less than 12 hours but more than two hours' notice from 1 December 2025. Darwin Port advised it would credit all customers charged the tariff since it was introduced on 1 July 2025.

On 29 May 2026, Darwin Port advised the Commission it would be increasing most of its standard charges for prescribed services by 4.6% from 1 July 2026. Pilotage charges would increase by 4.3%, with port induction fees and administration fees to remain unchanged. Darwin Port also made several amendments to its tariff schedule to clarify the application of existing charges.

The Commission publishes an annual summary of trends in standard charges and revenue received for prescribed services at the Port of Darwin to inform port users, industry and stakeholders, with the 2025 Ports Price Monitoring Report published in October 2025. This report showed annual changes in Darwin Port's charges was above the annual increase in the Commission's chosen benchmark (March quarter 2025 CPI) of 2.4%, and total revenue received by Darwin Port in 2024-25 for prescribed service at the port of Darwin increased by 18%, driven by growth in revenue from wharfage and berthage. The report noted the strong growth in revenue was consistent with statistics on Darwin Port's website showing growth in total trade, total gross registered tonnage and vessel visits.

Annual report to the minister

The Commission monitors the private port operator's compliance with the access and pricing regime. It is required to report to the minister by 1 December each year on any reports received from the private port operator on material instances of non-compliance with the access policy and any instances of non-compliance with a determination made by the Commission.

The Commission reported to the minister on 9 October 2025, advising it was not aware of any material breaches by Darwin Port in 2024-25. The report was deemed tabled in the Legislative Assembly on 25 November 2025, as required by the *Ports Management Act 2015*, and subsequently published on the Commission's website.



WATER SUPPLY AND SEWERAGE SERVICES

5

Responsibilities under the *Water Supply and Sewerage Services Act 2000*

The Commission is responsible for certain regulatory functions in the water supply and sewerage services industries. Its activities relate mainly to licensing, price regulation and compliance monitoring.

The *Water Supply and Sewerage Services Act 2000* regulates the Territory's water supply and sewerage services industries to:

- promote the safe and efficient provision of water supply and sewerage services
- establish and enforce standards of service in water supply and sewerage services
- facilitate the provision of financially viable water supply and sewerage services
- protect the interests of customers.

The *Water Supply and Sewerage Services Act 2000* and Administrative Arrangements Order allocate ministerial responsibility for the *Water Supply and Sewerage Services Act 2000* as follows:

- the Treasurer is responsible for provisions including declaration of water supply and sewerage services licence areas (sections 8 and 9), setting licence application and annual fees (sections 15(2) and 19(3)), and approving varied terms or conditions of a licence (section 20(1)); approving the Commission to grant an exemption (section 26(1)), appointing an authorised officer (section 35(1)), approving conditions under a licence (section 42(1) and (3)), specifying minimum standards that a licensee must meet in providing water supply or sewerage services to customers (section 45(1)), issuing a pricing order to regulate the prices for the sale of water supply and sewerage services (section 60(1) and (7)), and restricting the consumption of water or use of sewerage services (section 80)
- the Minister for Health is responsible for provisions in relation to the quality of drinking water (section 46), compliance with the minimum water quality standards (section 49(3)) and minimum water quality monitoring program (section 50(2))
- the Minister for Essential Services is responsible for making a determination in relation to the Commission taking over operations (section 32(1) and (5)), approving a code for connections, upgrading connections and increased loads on a licensee's infrastructure (section 52(2)), appointing a services officer and associated identity card form (sections 55(1) and 57(2)), declaring a water supply or sewerage services extension area (section 61(1)), and dealing with a dispute between a licensee and agency in relation to carrying out work on public land (section 63(5), (6) and (7)).

Licensing

The Commission issues licences to persons wishing to carry on operations in the Territory's water supply and sewerage services industries under a sole supplier model.

Specific geographical areas may be declared by the minister, by way of a notice in the Northern Territory Government Gazette, to be a water supply or sewerage services licence area pursuant to sections 8 and 9 of the *Water Supply and Sewerage Services Act 2000*.

A licence is required to provide water supply and sewerage services within an area gazetted under the *Water Supply and Sewerage Services Act 2000*.

For each water supply or sewerage service within a licence area, the Commission may only grant a single licence for each relevant service provided. The Commission is not empowered to issue licences to provide services that take place outside a water supply or sewerage services licence area.

The Commission must make a water supply or sewerage services licence subject to conditions approved by the minister.

At 30 June 2026, PWC held two licences under Part 2 of the *Water Supply and Sewerage Services Act 2000* for:

- water supply
- sewerage services.

A general exemption from the need to hold a licence is also in effect for entities on-supplying water services within prescribed licence areas. This approval is on the condition the person relying on the exemption has the relevant licensee's approval to undertake on-supply operations in the water supply licence area.

During 2025-26, there were no applications for water supply or sewerage services licences or exemptions, and no variations applied for or made to the terms and conditions of existing licences.

Price regulation

Water supply and sewerage services prices paid by customers, whether residential or commercial, are regulated by the Territory Government through a pricing order made by the Treasurer under section 60 of the *Water Supply and Sewerage Services Act 2000*.

Pricing for water supply and sewerage services was regulated during 2025-26 through a pricing order issued by the Treasurer on 25 June 2025 for the 12 months from 1 July 2025.

The Commission is required to enforce compliance with pricing orders as if the orders were a determination of the Commission under the *Utilities Commission Act 2000*. At 30 June 2026, the Commission was not aware of any material breaches of the pricing order during 2025-26.

Service performance

The Commission has no role in developing service standards in water supply and sewerage services industries.

Minimum standards that a licensee must meet in providing water supply or sewerage services to customers may be set by the Treasurer in accordance with section 45 of the *Water Supply and Sewerage Services Act 2000*.

At 30 June 2026, no service standards had been set by the Treasurer and subsequently no service standard monitoring functions were assigned to the Commission.

Compliance audits and compliance monitoring

One of the Commission's priorities is to monitor licensees' compliance with regulatory obligations, including ensuring regular internal audits and requiring independent audits of compliance as appropriate. The Commission also actively monitors licensees' implementation of audit recommendations and compliance with regulatory obligations more generally.

PWC's water supply and sewerage services licences require it to commission an independent auditor annually to audit of all or part of the operations authorised by the licences and compliance with obligations under the licences.

PWC submitted to the Commission its independent audit findings with respect to 2024-25 and associated management response in December 2025. The Commission is actively monitoring PWC's implementation of the independent audit recommendations and associated action plan through requiring regular written updates.

Advice to the minister

During 2025-26, the minister requested advice from the Commission in relation to the economic regulation of water supply and sewerage services delivered by PWC under the *Water Supply and Sewerage Services Act 2000*. The advice is due to the minister during 2026-27.

Code and guidelines

The *Water Supply and Sewerage Services Act 2000* requires the Commission to make water supply and sewerage services licences subject to conditions requiring licensees to develop and publish codes required by the Act (section 42(1)(e)). Accordingly, clause 9.1(e) of the water supply and sewerage services licences states licensees must develop and comply with obligations under the codes specified in the *Water Supply and Sewerage Services Act 2000* for trade waste, metering and connections.

Under the *Water Supply and Sewerage Services Act 2000*, the Commission has a role in approving the codes developed for trade waste and metering.

On 27 March 2026, following extensive feedback from the Commission to PWC on PWC's initial draft amendments and draft consultation material, PWC submitted a revised Trade Waste Code to the Commission for approval. The Commission's review of the final version of the revised Trade Waste Code found it complied with requirements under the *Water Supply and Sewerage Services Act 2000* and provided appropriate procedures for the management of trade waste, consistent with good industry practice and nationally accepted standards. The Commission was satisfied that PWC had undertaken appropriate consultation with relevant stakeholders and subsequently approved the revised Trade Waste Code on 28 April 2026.

PWC's Water Metering Code version 1.6 was approved by the Commission on 25 July 2024 and remains in effect.







APPENDICES

Appendix A: Utilities Commission meetings and major decisions

Table A1: Commission meetings

Date	Location	Lyndon Rowe	Richard Owens
24 July 2025	Videoconference	Present	Present
4 September 2025	Videoconference	Present	Present
9 October 2025	Videoconference and in person	Present	Present
18 November 2025	Videoconference	Present	Present
18 December 2025	Videoconference	Present	Present
26 February 2026	Videoconference	Present	Present
24 March 2026	Videoconference and in person	Present	Present
28 April 2026	Videoconference	Present	Present
18 May 2026	Videoconference	Present	Present
30 June 2026	Videoconference	Present	Present

Table A2: Major decisions

Date	Agenda no.	Item	Industry
24 July 2025	2.1	Approved an Electricity Retail Supply Code exemption to EDL for compliance with specified obligations subject to EDL having no retail customers	Electricity
24 Aug 2025	OOS no. 1	Approved an exemption to HCPS Co Pty Ltd as trustee for HCPS Unit Trust in relation to generation performance reporting obligations under clause 5.1.1 of the Electricity Industry Performance Code (regarding 2024-25 performance)	Electricity
4 Sept 2025	2.1	Approved the 2027-30 System Control and Market Operator Charges Review – Framework and process document, including publication	Electricity
	2.3	Approved exemptions to Groote Eylandt Mining Company Pty Ltd for compliance with specified Electricity Retail Supply Code obligations, subject to its alternative publication approach continuing	Electricity
11 Sept 2025	OOS no. 2	Approved the 2024-25 Annual Report, including publication	All
9 Oct 2025	2.1	Approved EDL's draft varied generation licence	Electricity
	2.4	Approved the Annual Report on Material Instances of Non-compliance with the Port Access Policy and Determinations for 2024-25	Ports
	2.6	Approved the 2025 Ports Price Monitoring Report, including publication	Ports
18 Dec 2025	2.1	Approved PWC's amended Customer Charter	Electricity, Water and Sewerage
	2.4	Approved the Annual Compliance Monitoring Report 2024-25, including publication	Electricity, Water and Sewerage
11 Feb 2026	OOS no. 7	Approved the Assessment of Network Outage Event on 22 November 2025 – PWC, including publication	Electricity
14 Feb 2026	OOS no. 8	Approved the 2024–25 Northern Territory Electricity Retail Review, including publication	Electricity
21 Feb 2026	OOS no. 10	Approved the 2024–25 Northern Territory Power System Performance Review, including publication	Electricity
	OOS no. 11	Approved the 2024–25 Nhulunbuy Power System Performance Report, including publication	Electricity
26 Feb 2026	2.2	Approved a 12-month partial exemption from clause 13.1.7(a) of the Electricity Retail Supply Code in relation to PWC's identification of prepayment customers residing in specified IES communities and outstations	Electricity
		Approved a 12-month partial exemption from clause 13.1.7(b) of the Electricity Retail Supply Code in relation to PWC contacting prepayment meter customers identified as experiencing payment difficulties due to hardship that reside in IES properties	Electricity
	2.4	Approved the Utilities Commission stakeholder survey	All
28 Feb 2026	OOS no. 12	Approved the Final Decision for the Electricity Industry Performance Code Review and varied code, including publication.	Electricity

continued

Date	Agenda no.	Item	Industry
28 Apr 2026	2.2	Approved the revised Trade Waste Code	Water and Sewerage
	2.3	Approved the 2026-27 system control and market operator charges	Electricity
	2.4	Approved the Assessment of Network Outage Event on 7-11 March 2026 – PWC, including publication	Electricity
	3.4	Approved publishing the 2026 Utilities Commission stakeholder survey results	All
3 June 2026	OOS no. 16	Approved the 2025 Northern Territory Electricity Outlook Report Update, including publication	Electricity
5 June 2026	OOS no. 17	Approved the 2027–32 System Control and Market Operator Charges Review – Consultation paper – NTESMO initial proposal, including publication	Electricity
30 June 2026	2.1	Approved transfer of the generation licence for the Batchelor solar power station from Eni Australia Limited (Agent) and Eni New Energy Batchelor Pty Ltd (Principal) to Eni Plenitude Renewables Batchelor Pty Ltd	Electricity
		Approved transfer of the generation licence for the Katherine solar power station from Eni Australia Limited (Agent) and Eni New Energy Katherine Pty Ltd (Principal) to Eni Plenitude Renewables Katherine Pty Ltd	Electricity
		Approved transfer of the generation licence for the Manton Dam solar power station from Eni Australia Limited (Agent) and Eni New Energy Manton Dam Pty Ltd (Principal) to Eni Plenitude Renewables Manton Dam Pty Ltd	Electricity
	2.5	Approved amendment to PWC's partial exemption from clause 13.1.7(a) of the Electricity Retail Supply Code to remove nine communities	Electricity

OOS: out of session

Appendix B: Expenditure and receipts

The Commission is established as a separate administrative unit within the Department of Treasury and Finance. The Commission does not separately compile its own financial statements but its activities are included in the consolidated financial statements provided in the Department of Treasury and Finance's Annual Report.

This appendix publishes the Commission's expenditures funded directly from consolidated revenue, through the Department of Treasury and Finance, as well as the associated receipts.

Table B1: Expenses by category of cost

	2025-26	2024-25
	$000	$000
EMPLOYEE EXPENSES	**873**	**777**
GENERAL EXPENSES	**431**	**467**
Regulatory/Commission expenses	152	146
Expert advice (including legal)	224	274
Office expenses and administration	51	43
Recruitment and training	4	4
TOTAL EXPENSES	**1 304**	**1 244**

Table B2: Licence fees and charges

	2025-26	2024-25
	$000	$000
FEES AND CHARGES		
Licence application fees	29	0
Electricity licence fees	1 559	1 430
Water and sewerage licence fees	57	55
TOTAL REVENUE	**1 645**	**1 485**

Notes: Section 19 of the *Utilities Commission Act 2000* provides that, unless otherwise directed by the minister, fees and other monies received by the Commission are paid into the Consolidated Revenue Account. No such direction has been issued.

The licence fee schedule applicable for the 2025-26 period was approved by the minister on 7 November 2023.

Appendix C: Advisers to the Utilities Commission

In 2025-26, the Commission used the services of various consultants. Total fees paid to consultants or on legal advice was $0.224 million, compared with $0.274 million in the previous year.

The Commission engaged the following consultants in 2025-26:

- Adept Advisory Services to assist the Commission with providing advice to the minister in relation to economic regulation of water supply and sewerage services
- Frontier Economics to assist the Commission with the 2027–2032 system control and market operator charges review
- Kaihen Consulting to assist the Commission with its review of the Electricity Industry Performance Code.

Appendix D: Publications and reports

Table D1: During 2025-26, the Commission published the following reports and documents

Date released	Publication
July 2025	Decision summary – Licence exemption granted to Aggreko Generator Rentals Pty Limited
September 2025	2027–2032 System Control and Market Operator Charges Review – Framework and process document
October 2025	2025 Ports Price Monitoring Report
	Annual Report 2024-25
December 2026	2024-25 Annual Report on material instances of non-compliance with the Port Access Policy and Price Determination
January 2026	Annual Compliance Monitoring Report 2024-25
February 2026	Assessment of network outage event on 22 November 2025 – PWC
	2024-25 Northern Territory Electricity Retail Review
	2024-25 Northern Territory Power System Performance Review
	2024-25 Nhulunbuy Power System Performance Report
March 2026	Final decision – Variation to the Electricity Industry Performance Code
April 2026	Assessment of network outage event on 7-11 March 2026 – PWC
	Utilities Commission 2026 stakeholder survey results
May 2026	Utilities Commission 2026-27 Priorities
June 2026	2027–2032 System Control and Market Operator Charges Review – Consultation paper – NTESMO initial proposal
	2025 Northern Territory Electricity Outlook Report Update
	Decision summary – Licence exemption granted to Zenith Pacific (DBS-GTS) Pty Ltd – May 2026

These publications can be viewed on the Utilities Commission's website: utilicom.nt.gov.au.