能源及環境學院 SCHOOL OF ENERGY AND ENVIRONMENT





Public Consultation Future Development of the Electricity Market

Dr C W Tso's Submission to LegCo Panel on Economic Development (Email Address: panel_edv@legco.gov.hk)

29 May 2015

Dr C W Tso Adjunct Professor

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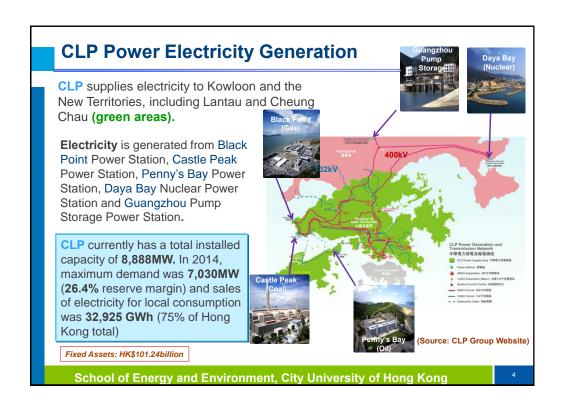
- 1. Overview of Hong Kong Electricity Sector
- 2. Current Scheme of Control Agreements Issues & Concerns
- 3. Post 2018 Regulatory Regime Views & Suggestions

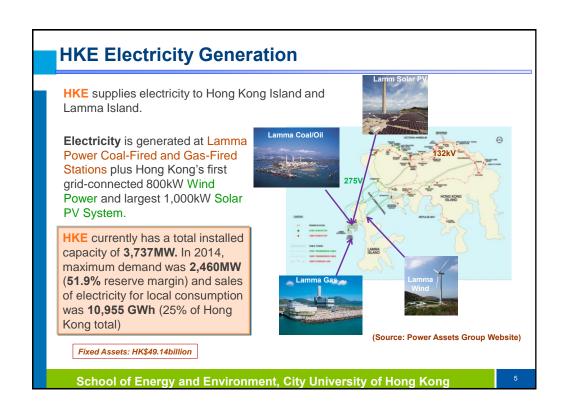
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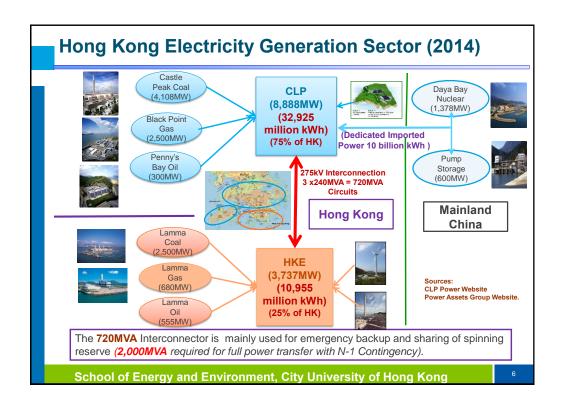
1. Background Information

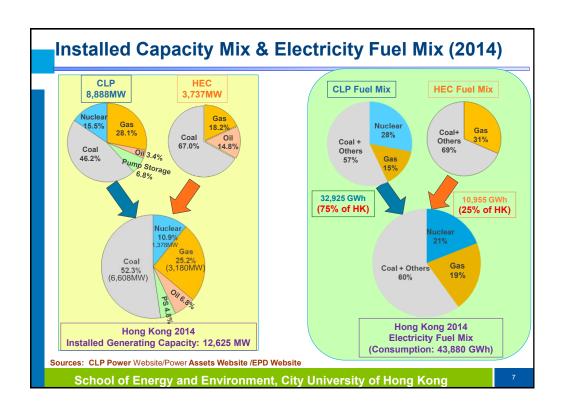
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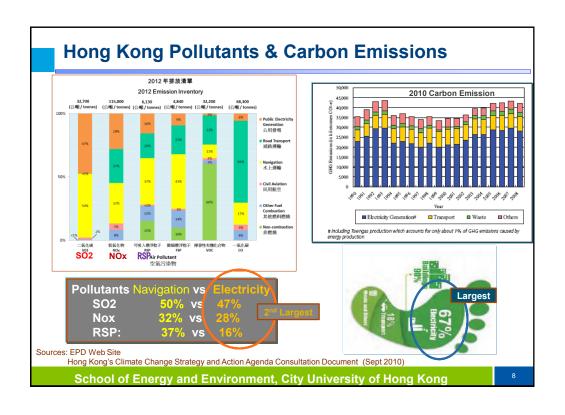
Hong Kong Current Electricity Market Electricity in Hong Kong has always · (Generation) been supplied by two investors-owned power companies operating in a ・輸電 • (Transmission) vertically integrated electricity market: • The Hongkong Electric Company Ltd • (Distribution) (HKE) incorporated in 1890 • (Retail) • CLP Power Hong Kong Ltd (CLP) CLP 中電 incorporated in 1901. Vertically-integrated **Market Structure** Both power companies do not have a franchise but their operations are regulated by the **Environment Bureau** under two separate 10-Year Scheme of Control Agreements (SCAs) with CLP and HKE valid till 2018. Sources: CLP Power, Power Assets and Environment Bureau Websites. School of Energy and Environment, City University of Hong Kong

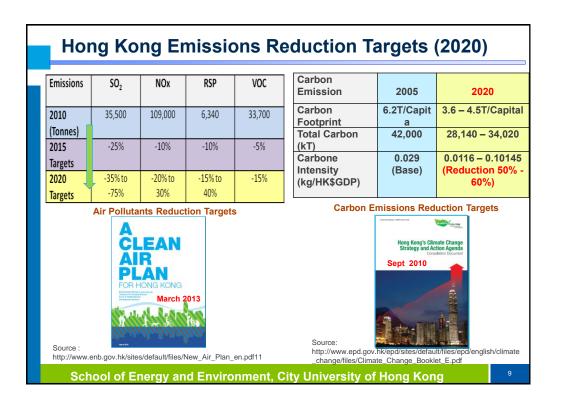












Tightening Power Plant Emissions to Meet Hong Kong 2020 Emissions Reduction Targets 2010 Emission Caps (1st TM) 2015 Emission Caps (2nd TM) SO, NOX RSP SO, NOX RSP

	2010 Emission Caps (1st TM)			2015 Emission Caps (2 nd TM)		
	SO ₂	NOx	RSP	SO ₂	NOx	RSP
	(Tonne)	(Tonne)	(Tonne)	(Tonne)	(Tonne)	(Tonne)
CLP	15,750	26,710	790	5,702	17,532	531
HEC	9,370	15,890	470	6,780	10,020	300
Total_	25,120	42,600	1,260	12,482	27,552	831
Reduction	1	Base		-50.3%	-35.3%	-34.1%

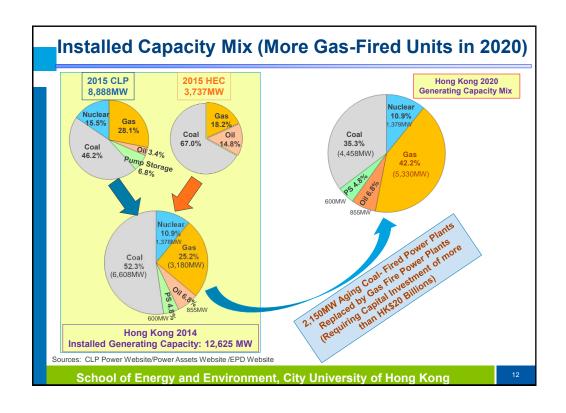
	2017 Emission Caps (3 rd TM)			2019 Emission Caps (4th TM)		
	SO ₂	NOx	RSP	SO ₂	NOx	RSP
	(Tonne)	(Tonne)	(Tonne)	(Tonne)	(Tonne)	(Tonne)
CLP	5,199	16,500	500	4,970	16,500	500
HEC	5,200	9,450	250	4,250	8,980	200
Total_	10,399	25,950	750	9,200	25,480	700
Reduction	-58.6%	-39.1%	-40.5%	-63.4%	-40.2%	-44.4%

Electricity Consumption - 2010 (41.8 GWh) => 2020 (48 GWh) (15% Growth)

Sources: Legislative Council LC Paper No. CB(1)2256/11-12(05) (Nov 2012)
Legislative Council Paper http://www.legoo.gov.hk/yr14-15/english/subleg/brief/201442ss5_brf.pdf
Future Fuel Mix for Electricity Generation Consultation Document (March 2014)
CLP/HEC Annual Reports/Sustainability Reports

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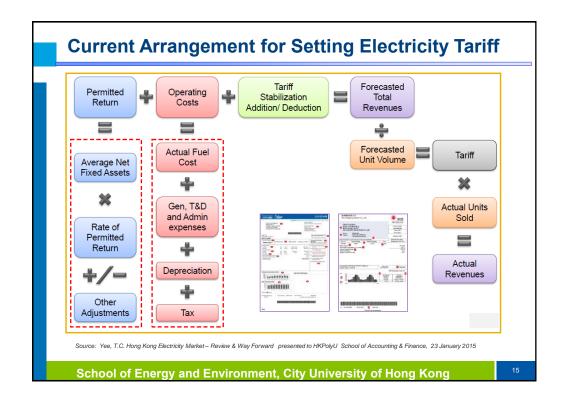
2,150MW New Gas Fired Power Plants required to Replace Coal Fired Power Plants by 2020 Hong Kong Coal - Fired Generating Units Commissioning End of Book Location Units (MW) Year Life* CLP Castle Peak A A1 350 1982 2017 1,400MW 2018 350 1983 A2 Α3 350 1984 2018 350 1985 2020 A4 Castle Peak B B1 677 2021 1986 2,708MW 2022 B2 1987 677 2023 B3 677 1988 **CLP HK\$9** billion 2025 B4 677 1990 FGD/SCR Project HEC Lamma Island L1 1982 (2010/11) 250 1982 2017 T.2 L3 250 1983 Lamma Coal-Fired L4 350 1987 2022 L5 350 1988 2023 350 1992 2027 L7 350 1995 2030 L8 350 1997 2032 Total CLP 4,108 Year 2015 1,750 MW 2,500 Total HEC FGD/LMB Project Total CLP + HEC 6,608 4,458 MW ** Retrofitted with FGD/SCR/LNB in 2010/11 (HK\$10 billion) + Life Extension for Castle Peak B Units and Lamma L4/L5 Units School of Energy and Environment, City University of Hong Kong

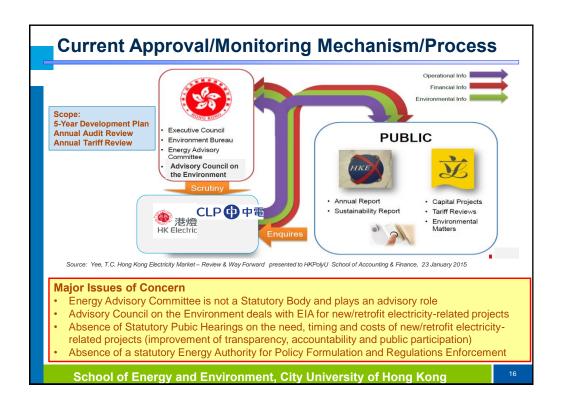


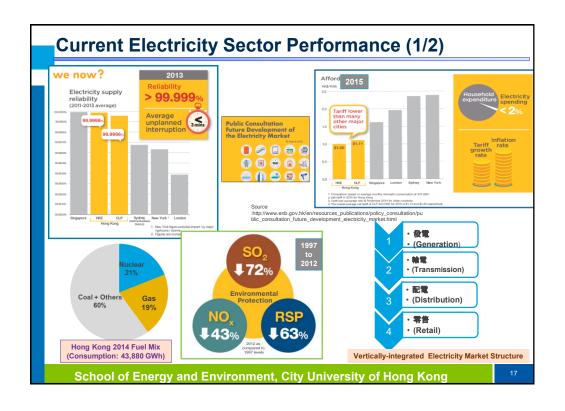
3. Scheme of Control Agreements (SCAs) – Issues & Concerns

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Current Scheme of Control Agreements (SCAs) The Scheme of Control: Current Contract Term (between CLP and HKSAR Government) Sep 2018 Sep 2023 Electricity supply is regulated through the Scheme of Control (SoC) Agreement which is a contract signed between CLP and the Government to serve customers in Kowloon, the New Territories and Lantau Island The SoC has been in place for over 50 years. It has been renewed from time to time and has served Hong Kong well over the years The current SoC has a 10-year term (Oct 2008 to Sep 2018) with a Government option to extend on the same terms for 5 years to 2023 The annual permitted return under the SoC is 9.99% of the SoC Companies average net fixed assets other than renewable energy investments, and 11% on renewable energy investments In the event that the 5-year extension is not exercised by the Hong Kong Government, the SoC Companies will continue to earn the permitted return until 30 September 2023 on all approved investments made on or before 30 September 2018, or as approved by the Government thereafter The current SoC includes a provision to give the SoC Companies protection for stranded costs, which may arise as a result of future changes to the market structure which adversely impact on the SoC Companies' ability to recover and to earn returns on existing investments approved by the Government in accordance with the SoC N.B. Similar Contract Term of SCA signed between HKE and HKSAR Government Source: CLP Group 2014 Annual Results Analyst Briefing 25 Feb 2015 HKSAR Government Environment Bureau Website School of Energy and Environment, City University of Hong Kong







Current Electricity Sector Performance (2/2)

The current model of electricity market structure and the regulatory regime through SCAs have been in operation in Hong Kong for the past 50 year, the **Reliability and Affordability** are so far highly impressive compared with other developed economies... so why should Hong Kong go for change just for the sake of change?

Major Issues of Concern

•All Business Risks (investments, fuel costs, operation expenses, forecasting error etc.) passed on to Consumers (gold plated infrastructures, less incentives to secure competitive fuel sources and improve productivity, etc. under current SCAs). The use of permitted RoR (rate of return) based on the ANFA could encourage excessive investment (gold-plated infrastructure)

•Consumers have no choice of service providers (captive customers) under current Vertically Integrated Market Structure (see Slides 20 & 21).

•The current rather low electricity price can not be maintained when the amount of natural gas in fuel mix is increased from 19% in 2014 to 50% (Singapore's fuel mix has more than 90% gas).

•RE Wind/PV Capacity: 2MW (0.016% of total Installed Capacity of 12,625MW) producing about 2 GWh (0.005% of HK 2014 consumption) is far too decimal in electricity fuel mix for Hong Kong as a developed economy and Asia World City.

•The scope of emissions limits imposed on power stations only apply to air pollutants (SO2, NOx and RSP), not CO2 to address global warming leading to climate change.

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Promotion of RE - Current SCA Arrangement for Power Companies

Renewable Energy Incentive (SCA Schedule 6) Source: EnB Website/CLP Website/HKE Website

11. The Renewable Energy Incentive Factor for any Year which is a full calendar year is the figure shown in the right hand column of the table below which corresponds with the Renewable Energy Performance, expressed as a percentage, achieved by the Companies in respect of that Year determined in accordance with paragraph 12.

Renewable Energy Performance	Renewable Energy
	Incentive Factor
5% or above	0.05%
Less than 5% and greater than or equal to 2%	0.03%
Less than 2% and greater than or equal to 1.5%	0.02%
Less than 1.5% and greater than or equal to 1.0%	0.01%
Less than 1.0%	0







Areas of Concern:

- On top of Higher Permitted Rate of Return of 11% for Net RE Fixed Assets
- Encourage excess investment in RE installations

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Promotion of RE - Current SCA Arrangement for Consumers

RENEWABLES (Current SCA Schedule 6)

Source: EnB Website/CLP Website/HKE Website

Grid Connection for Embedded Renewables

- 8. The Companies shall offer standardised arrangements (such arrangements shall be subject to the prior written agreement of the Government) for back-up power supply for customers with embedded Renewable Energy Systems in Hong Kong. Customers with embedded Renewable Energy Systems are those who supply a portion of their electricity demand with Renewable Energy Systems at their own premises. Grid connection arrangements shall be made between the prospective grid user and the Companies, on reasonable terms and subject to applicable technical and safety standards, including the technical and safety requirements stipulated in the latest Technical Guidelines on Grid Connection of Renewable Energy Power Systems issued by the Electrical and Mechanical Services Department of the Government.
- 9. Special cases, such as spill power (occasional surplus electricity from a customer of the Companies with an embedded Renewable Energy System), shall be considered on a case-by-case basis on reasonable terms.

 Not Mandatory

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Promotion of Energy Efficiency & DSM - Current SCA Arrangement

- The power companies can obtain an incentive of 0.01% of ANFA if they meet the annual target of conducting energy audits for the customers (150 cases for CLP and 50 cases for HKE annually)
- The power companies can obtain another 0.01% of ANFA if the energy saving attributable to the improvement works carried out by the customers based on the energy audits conducted by the power companies meets the target level of 12GWh for CLP and 3 GWh for HKE.
- 3. The power companies have agreed to use the performance incentives obtained through energy savings to set up funding schemes to provide subsidies on a matching basis to non-commercial building owners to carry out energy efficiency improvement works
- 4. The power companies have each set up an annual loan fund (CLP: \$25million and HKE: \$12.5million) to provide loans to non-Government customers to implement energy saving initiatives identified in energy audits.
- The power companies have provided rebate and discount to domestic and SME customers with low levels of consumption.

Area of Concern:

 No off-peak hours tariff structure (tariff discount for using electricity during non-peak hours) to reduce system maximum demand => defer investment for increase in generation capacity

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3. Post 2018 Regulatory Regime- Views & Suggestions

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Consumer Choice – Perception

Choice involves mentally making a decision: judging the merits of multiple options and selecting one or more of them. One can make a choice between imagined options or between real options followed by the corresponding action. Most people regard having choices is important as a human right, though a severely limited or artificially restricted choice can lead to discomfort with choosing, and possibly an unsatisfactory outcome. In contrast, a choice with excessively numerous options may lead to confusion, regret of the alternatives not taken. (Source: http://en.wikipedia.org/wiki/Choice)

It is generally believed that the ability to choose an electricity service provider can give consumers a greater variety of pricing plans and allows the consumers more freedom to determine what is the best option to meet the needs (unique or common) of their household or business in terms of the following trade-offs:

- •High Reliability (notably business and affluent consumers)
- •Low Cost (notably grass root consumers)
- •Environmental Friendly (Green Fuels/RE)(notably green conscience & affordable consumers)
- •Caring, Transparent & Responsive Services (desirable by all consumers)

This requires the unbundling of the electricity market chain, i.e. **introduction of competition** to both generation sector and retail sector. Most consumers believe that a deregulated market can facilitate competitive entry, encourage the development of innovative products, enhance efficient operation of assets and improve the quality of choices. So Consumers will have the opportunity to take full advantage of available choices.

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Introduction of Competition: Unlikely in Near Term

Overseas experiences in liberalised electricity market reveal that the commercial (business & industry) bulk consumers do benefit the most, notably the price of electricity, at the expenses of domestic consumers.

Furthermore, the unique situation of Hong Kong (private ownership of HK\$150 billion assets, relative small and geographical constrained market plus community preference for local electricity generation) and the huge costs of setting up and execution of highly complex regulatory framework/controls incurred for a deregulated market make it unlikely to introduce genuine competition on a sizable scale to the Hong Kong Electricity Market.

Hence, regulation of the financial, technical and operational affairs of CLP and HKE will again have to be exercised through the **SCAs** after the expiry of the current 10-year term in 2018.



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Future Contractual Arrangements for New SCAs (1/4)

- Duration Given the hugely capital intensive infrastructure with service life ranging from 30 years for power generation plant to 60 years for cables and buildings, and also the need for a stable and certain environment for such long-term investment, it is considered appropriate to retain the duration of the future contractual arrangement at 10 years with the option for the government to extend the term for another 5 years at the same permitted rate of return.
- Permitted Rate of Return At least 8% (approx. 4% above local inflation) of rate of return is
 considered reasonable to attract capital intensive long-term investment. It is noted nominal
 vanilla WACC (weighted average cost of capital), a kind of RoR estimated based on gearingweighted average of pre-tax cost of debt and post-tax cost of equity, adopted by several
 developed economies is around 8% for the electricity sector. The use of WACC rather than
 ANFA could partially address the concern of unnecessary excessive investments. Furthermore,
 same RoR should apply to Renewable Energy based capital.
- Tariff Approval Mechanism It is noted that the Net Tariff paid by the consumers is made up of two parts, viz. Basic Tariff and Fuel Clause Charge. The Basic Tariff covers operating expenses, standard fuel charges and permitted return to the power companies. The Fuel Clause Charge reflects the changing price of fuels and is borne by consumers and payable to the power companies on a cost-pass through basis. The power companies can adjust through the Fuel Clause Recovery Account from time to time to reflect changes in the cost of fuels. It is considered desirable to have both the projected Net Tariff and the Basic Tariff Rate stated in the power company's Development Plan (DP) have to be approved by the Authority if either one exceeds the approved DP by a margin of 5%.

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Future Contractual Arrangements for New SCAs (2/4)

• Fuel Cost Arrangement — As shown on Slide 7, Hong Kong's fuel mix in 2014 was 60% coal, 21% nuclear and 19% gas. The government's proposed fuel mix in 2020 is 50% gas, 25% nuclear and remaining coal (less than 25%).

Regarding imported nuclear power, it is noted that the supply of nuclear electricity from the Day from Daya Bay Nuclear Power Station (DBNP) has been extended for further term of 20 years from 2014 up to 2034 and the amount would be increased to 80% of the total output of DBNP. It is expected the cost will be rather stable and likely go up in line with inflation adjustment.

Regarding coal, the price of coal has been dropping steady for the past 4 years and is expected to remain stable at that level. Furthermore, the amount of coal used as fuel will be decreased substantially in the next few years to meet the emission caps, and hence the impact of coal price on the tariff is diminishing. (Source: http://www.infomine.com/investment/metal-prices/coal/all/)





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Future Contractual Arrangements for New SCAs (3/4)

• Fuel Cost Arrangement (continued) — Regarding natural gas, it should be noted that CLP signed a 20-year gas supply contract (West to East 2nd Pipe Line gas) in 2013 and HKE entered another gas supply contract in 2014 (duration not known but would not be at least 5 years) in addition of its first 25-year gas supply contract singed in 2005 (Guangdong LNG Terminal gas). It is believed that all these gas supply contracts are take-or-pay contracts with price adjustment factors including oil price and possibly have floor/cap price clauses in place. It is not too sure the quantity of existing gas supply contracts has already taken due consideration of the government's intent of increasing the content of natural gas in fuel mix to 50%, but at least to 40% as proposed in the 2010 Consultation Document on Hong Kong's Climate Change Strategy and Action Agenda. It is reckoned that the price of natural gas of the contracted quantity would not be so volatile as perceived by the public.

However, to ascertain long term security of gas supply, reduce price volatility, power companies can project more accurately the Net Tariff in their DPs, it is suggested to conduct detailed study on the technical feasibility and economic viability of having a floating LNG Terminal in Hong Kong as a source of gas supply.

Regasification unit (onboard equipment for regasifying LNG storage LNG storage

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Future Contractual Arrangements for New SCAs (4/4)

- Incentive and Penalty Schemes Given the permitted RoR in the new SCAs would be less than the current 9.99%, it is reasonable to retain the current adjustments for Supply Reliability, Operational Efficiency and Customer Services in the new SCAs.
- Regarding **Emission performance**, it is noted that the emissions limits have already imposed on power stations through Technical Memorandum under the APCO. Hence, there is no need to include in the new SCAs any incentive for outperformance or penalty under performance.
- Regarding Generation Reserve Margin, it is suggested to include a penalty (say 0.01%) on exceedance of the permitted maximum reserve margin (say 25%) to ensure vigilance in forecasting system maximum demand, in assessing the need for new generation capacity and in management of system/plant operations
- Regarding Excess Generating Capacity, the current arrangement is considered appropriate.

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RE Incentive for Power Companies – Current/New SCAs

Renewable Energy Incentive (Current SCA Schedule 6)

Source: EnB Website/CLP Website/HKE Website

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Less than 1.0%	0



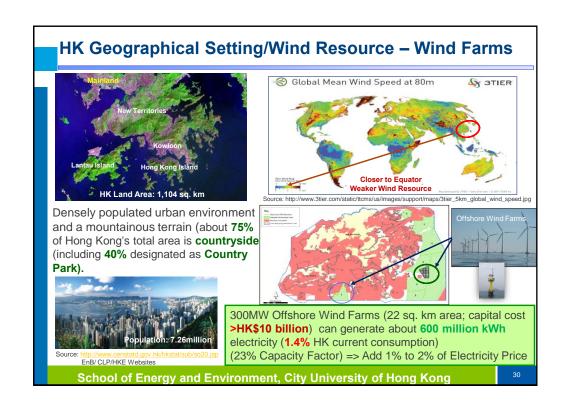


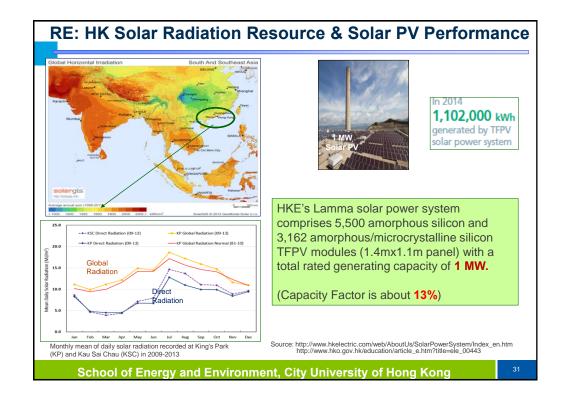


Comment & Suggestion:

- Current SCAs arrangement is considered too generous based on of 11% RoR for Net RE Fixed Assets
- Suggest to retain the current incentive factor provided same RoR applies to both Net RE Fixed Assets and Non RE Net Fixed Assets.

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RE for Power Generation in Hong Kong (3% in Fuel Mix?)



Other Feasible Sizable RE Sources in Hong Kong

A 3,000 T/day Integrated Waste Management Facility (IWMF) can generate about 480million kWh/year surplus electricity.

A 200 T/day of Organic Waste Treatment Facility (OWTF) can generate about 14 million kWh/year of surplus electricity.

A 2,000 T/day Sludge Treatment Facility **(STF)** can generate about **18 million kWh/year** of surplus electricity.

1,128 million kWh/Year Green Electricity (i.e. **2.35%** RE of 2020 electricity consumption of 48,000 million kWh) can be produced by:

- One 3,000 T/D IWMF (480 million kWh/Year)
- Two 200 T/D OWTF (28 million kWh/Year)
- One 2.000 T/D STF (18 million kWh/Year)
- 300MW Off-Shore Wind Farms (600 million kWh/Year) could increase the Net Tariff by 1% to 2% if acceptable by the consumers
- · Current RE production (2 million kWh/Year)

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Promotion of Customers' RE for Power Generation (1/3)

RENEWABLES (Current SCA Schedule 6)

Source: EnB Website/CLP Website/HKE Website

Grid Connection for Embedded Renewables

- 8. The Companies shall offer standardised arrangements (such arrangements shall be subject to the prior written agreement of the Government) for back-up power supply for customers with embedded Renewable Energy Systems in Hong Kong. Customers with embedded Renewable Energy Systems are those who supply a portion of their electricity demand with Renewable Energy Systems at their own premises. Grid connection arrangements shall be made between the prospective grid user and the Companies, on reasonable terms and subject to applicable technical and safety standards, including the technical and safety requirements stipulated in the latest Technical Guidelines on Grid Connection of Renewable Energy Power Systems issued by the Electrical and Mechanical Services Department of the Government.
- 9. Special cases, such as spill power (occasional surplus electricity from a customer of the Companies with an embedded Renewable Energy System), shall be considered on a case-by-case basis on reasonable terms.

 Not Mandatory

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Promotion of Customers' RE for Power Generation (2/3)

Feed-In Tariffs

- A feed-in tariff (FIT) is an energy supply policy that promotes the deployment of RE
 resources. FIT offers a guarantee of payments to RE developers for the electricity they
 produce. Payments can be composed of electricity alone or of electricity bundled with RE
 certificates. These payments are generally awarded as long-term contracts set over a period
 of 15 to 20 years.
- FIT policies are successful around the world, notably in Europe. Currently there are six U.S. states (California, Hawaii, Maine, Oregon, Vermont, and Washington) that mandate FITs or similar programs.

Source: http://www.nrel.gov/tech_deployment/state_local_governments/basics_tariffs.html

UK FIT Model

- A Government-back scheme that pays households, business, communities and organizations who create their own electricity using green technology.
- Guarantees a minimum payment for all electricity generated by the system (Generation Tariff), as well as an additional payment for the unused electricity produced that can be exported to the grid (Export Tariff). Example: Solar PV receive up to 18.24 pence/kWh (13.39p for new installation and 4.85p for export to the grid) and Wind up to 19.30 pence/kWh) (London domestic electricity charge 14.74p/kWh)

Source: http://solarguide.co.uk/feed-in-tariff-fit

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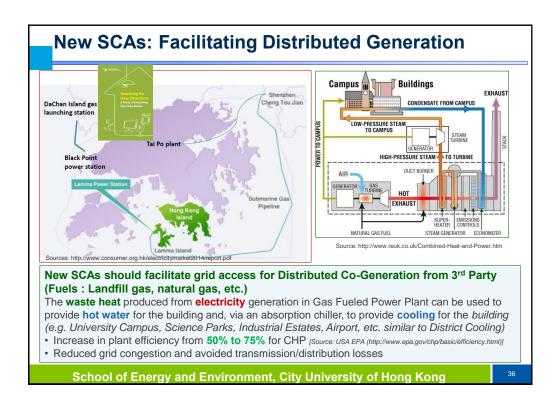
Promotion of Customers' RE for Power Generation (3/3)

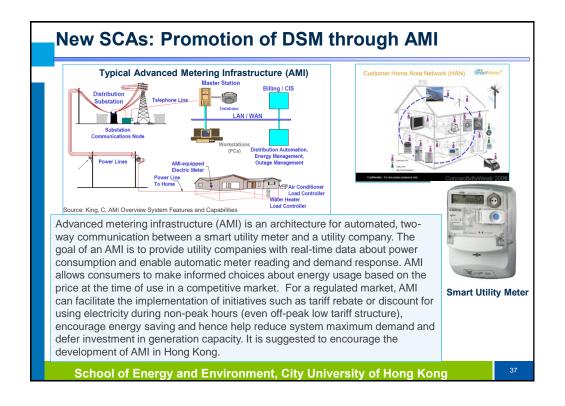
Suggestions for New SCAs

- Mandatory access to power grids to enable Households and Developers to connected their distributed RE or Green Technology to the existing power grids (Statutory Access Code has to be established)
- "Mandatory FIT Scheme for Households and Developers who generate their own electricity using RE or Green Technology (the cost incurred can perhaps be undertaken by government treasury but with caps on)
- "Net Metering Scheme" allows general public to produce renewable electricity onsite
 to "spin the meter backwards" (considered to be more feasible and acceptable to the
 public when compared with the FIT scheme)
- Mandatory power Back-up arrangement provided by power companies for all Distributed RE/Green Technology Generation

Ord Supply

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Closing Remark: New SCAs/Energy Policy/Energy Authority

I concur that the unique situation of Hong Kong (private ownership of HK\$150 billion assets, relative small and geographical constrained market plus community preference for local electricity generation) and the huge costs of setting up and execution of highly complex regulatory framework/controls incurred for a deregulated market make it unlikely to introduce genuine competition on a sizable scale to the Hong Kong Electricity Market in the near term.

Addressing the "Future Development of the Electricity Market" is considered a piece-meal and bottom-up approach to much bigger issues of energy supply, energy security, energy efficiency, climate change, environmental protection and ecology conservation.

What Hong Kong has in place is a set of **Energy Policy Objectives** covering mainly the supply side of electricity and towngas services, but not a well-structured, cohesive and comprehensive Energy Policy. **Hong Kong needs its Energy Policy** to address both supply side and demand side covering all sectors including electricity and gas, buildings, road transport, marine navigation and civic aviation.

Setting our Energy Policy's goals, strategies and action plans should take due consideration of Hong Kong's unique geographical, economic, social, cultural and political circumstances, current energy/power market structures, human capacity and endowment on natural resources. The establishment of a statutory **Energy Authority** in Hong Kong to undertake the formulation and execution of Energy Policy is long overdue.

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